By Senator

**ESHB 2836** - S COMM AMD
By Committee on Ways & Means

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, 2011, out of the several funds specified in this act.

## PART 1
## GENERAL GOVERNMENT

**Sec. 1001.** 2009 c 497 s 1005 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~)) COMMERCE**

Local and Community Projects (20064008)

The reappropriation in this section is subject to the following conditions and limitations: (1) $64,319 of the remaining reappropriation for El Centro de la raza may be used for building infrastructure. (2) $10,000 of the remaining reappropriation for miracle league handicapped baseball may be used for pre-grading and resurfacing construction. (3) $1,394,107 of the remaining reappropriation for MOBIUS/inland northwest science and technology center may be used for building design ((~~and~~)), construction, and renovation. (4) $500,000 of the remaining reappropriation for the Soundway property preservation project may be used by the city of Seattle, in cooperation with the nature consortium for habitat, recreation improvements, or stewardship of the property, if the city of

Seattle enacts pending city legislation to preserve the property and place it under the jurisdiction of city of Seattle parks and recreation. (5) The reappropriation is adjusted for the transfer of the Vancouver national historical reserve west barracks project to the Washington state historical society and the termination of the following projects that are no longer viable: (a) Snohomish senior center and (b) central area motivation program (CAMP).

Reappropriation:

State Building Construction Account--State . . . . ((~~$10,658,000~~)) $9,258,000

Prior Biennia (Expenditures) . . . . . $37,141,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . .((~~$47,799,000~~)) $46,399,000

**Sec. 1002.** 2009 c 497 s 1013 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~)) COMMERCE**

Job and Economic Development Grants (20064950)

The ((~~re~~))appropriation in this section is subject to the following conditions and limitations:

(1) The ((~~re~~))appropriation is subject to the provisions of section 107, chapter 371, Laws of 2006.

(2) The ((~~re~~))appropriation is subject to the project list in section 107, chapter 371, Laws of 2006.

(3) Up to $1,000,000 of the ((~~re~~))appropriation for the Pacific Northwest national labs campus infrastructure project is provided solely for giga-pop infrastructure.

(4) Up to $2,200,000 of the ((~~re~~))appropriation 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 ((~~re~~))appropriation is provided solely for improvements to a military department site on Fairchild air force base.

Reappropriation:

Public Works Assistance Account--State . . . . . ((~~$14,172,000~~)) <u>$1,733,000</u>

<u>Appropriation:</u>

<u>State Building Construction Account--State . . . . . $12,439,000</u>

Prior Biennia (Expenditures) . . . . . $35,828,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $50,000,000

**Sec. 1003.** 2009 c 497 s 1029 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~)) <u>COMMERCE</u>**

Local and Community Projects (20084001)

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

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

(2) The reappropriation is subject to the provisions of section 1008, chapter 328, Laws of 2008.

(3) $1,000,000 of the remaining reappropriation for the Evergreen school district health and biosciences academy may be used for land acquisition. If the facility is not constructed by June 30, 2015, the school district shall reimburse the state an amount equal to $1,000,000 increased by the average percentage appreciation in property values for undeveloped land in the surrounding area between the date the school district acquired the property and June 30, 2015 or the date the school district disposes of the property.

(4) $600,000 of the remaining reappropriation for the institute for community leadership may be used for land acquisition.

(5) $250,000 of the remaining reappropriation for the Pacific Northwest ilocandia association may be used for acquisition and renovation.

(6) $200,000 of the remaining reappropriation for the library connection at Greenbridge may be used for construction and equipment.

(7) $1,000,000 of the remaining reappropriation for the Evergreen school district health and biosciences academy may be used for land acquisition.

(8) The remaining reappropriation for the Mobius/inland northwest science and technology center may be used for building design, construction, and renovation.

(9) The reappropriation is adjusted for the transfer of the Vancouver national historical reserve project to the Washington state historical society; the reduction of $1,400,000 from the Tacoma narrows bridge lights project; and the termination of the following projects that are no longer viable: (a) Camp kilworth land acquisition - Federal Way, (b) Kitsap SEED, and (c) Seatac world war I memorial plaza.

Reappropriation:

State Building Construction Account--State . . . . ((~~$61,200,000~~)) $56,650,000

Prior Biennia (Expenditures) . . . . . $71,694,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$132,894,000~~)) $128,344,000

**Sec. 1004.** 2009 c 497 s 1019 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~)) COMMERCE**

Public Works Trust Fund (20074005)

Reappropriation:

Public Works Assistance Account--State . . . . . ((~~$232,000,000~~)) $132,000,000

State Taxable Building Construction Account--State . . . . . $95,000,000

Subtotal Reappropriation . . . . . ((~~$327,000,000~~)) $227,000,000

Appropriation:

State Taxable Building Construction Account--State . . . . . $100,000,000

Prior Biennia (Expenditures) . . . . . $0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $327,000,000

**Sec. 1005.** 2009 c 497 s 1023 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~)) COMMERCE**

Job Development Fund Grants (20074010)

The ((~~re~~))appropriation in this section is subject to the following conditions and limitations:

(1) The ((~~re~~))appropriation is subject to the provisions of section 1032, chapter 520, Laws of 2007.

((~~The appropriation in this section is subject to the following conditions and limitations: The~~)) (2) $3,000,000 of the appropriation is provided solely for a grant to the port of Grays Harbor for the bulk liquid facility project.

Reappropriation:

Job Development Account--State . . . . . ((~~$22,228,000~~)) $4,298,000

Appropriation:

((~~Job Development Account--State . . . . . $3,000,000~~))

State Building Construction Account--State . . . . . $20,930,000

Prior Biennia (Expenditures) . . . . . $24,702,000
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $49,930,000

**Sec. 1006.** 2009 c 497 s 1030 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~)) COMMERCE**

Community Development Fund (20084850)

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

(1) The reappropriation is subject to the provisions of section 1014, chapter 328, Laws of 2008.

(2) $105,521 of the remaining reappropriation for El Centro de la raza center may be used for building infrastructure.

(3) $1,000,000 of the remaining reappropriation for the Salishan housing community project may be used for infrastructure and housing.

(4) The reappropriation is adjusted for the termination of the homesight center project which is no longer viable.

Reappropriation:

State Building Construction Account--State . . . . . ((~~$9,715,000~~)) $9,465,000

Prior Biennia (Expenditures) . . . . . $11,451,000
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . ((~~$21,166,000~~)) $20,916,000

**Sec. 1007.** 2009 c 497 s 1031 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~)) COMMERCE**

Belfair Sewer Improvements (20084852)

Reappropriation:

State Building Construction Account--State . . . . . $5,500,000
((~~Public Works Assistance Account--State . . . . . $4,800,000~~
~~Subtotal Reappropriation . . . . . $10,300,000~~))

Appropriation:

State Building Construction Account--State . . . . . $4,800,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . .$10,300,000

**Sec. 1008.** 2009 c 497 s 1034 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~)) COMMERCE**

Quillayute Valley Wood-Fire Boiler (20084858)

Reappropriation:
Energy Freedom Account--State . . . . . ((~~$1,000,000~~)) $20,000

Appropriation:
State Building Construction Account--State . . . . . $980,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $1,000,000

**Sec. 1009.** 2009 c 497 s 1035 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~)) COMMERCE**

Snohomish County Biodiesel (20084859)

Reappropriation:
Energy Freedom Account--State . . . . . ((~~$500,000~~)) $419,000

Appropriation:
State Building Construction Account--State . . . . . .$81,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $500,000

**Sec. 1010.** 2009 c 497 s 1039 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~))**

**COMMERCE**

Drinking Water State Revolving Fund Loan Program (30000005)

Appropriation:

Drinking Water Assistance Account--State . . . . . ((~~$8,000,000~~)) $10,930,000

Drinking Water Assistance Repayment Account--State . . $31,201,000

Subtotal Appropriation . . . . . ((~~$39,201,000~~)) $42,131,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $215,974,000

TOTAL . . . . . ((~~$255,175,000~~)) $258,105,000

**Sec. 1011.** 2009 c 497 s 1040 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~)) COMMERCE**

Building for the Arts Grants (30000006)

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

(1) Projects must be selected based on their readiness to proceed.

(2) The appropriation is provided solely for the following list of projects:

| | |
|---|---|
| Admiral Theatre-No Theatre Left Behind | $140,000 |
| ((~~Artspace Everett Lofts~~ | ~~$1,000,000~~)) |
| Building a Foundation for Discovery | $250,000 |
| Campus Consolidation (Cornish) | $375,000 |
| Convert Key Bank to Everett's Plaza Theatre | $500,000 |
| Cottage Renovation (Hedgebrook) | $20,000 |
| Downstairs at the 5th | $800,000 |
| Federal Way Performing Arts Center | $325,000 |
| Gateway Center (Lummi) | $150,000 |

| | |
|---|---|
| James Center for the Performing Arts (Sequim) | $150,000 |
| Langston Hughes Performing Arts Center | $475,000 |
| Legacy Project (Imagine) | $200,000 |
| Modular Classrooms for Dance (Gladish) | $30,000 |
| Mt. Baker Theatre | $1,000,000 |
| Museum Expansion (Maryhill) | $1,500,000 |
| New Hands On Children's Museum | $1,000,000 |
| Reconstruction of First Stage (Issaquah) | $400,000 |
| Seattle Opera Center | $650,000 |
| Stage Two (Whidbey) | $450,000 |
| Vashon Arts Center | $1,115,000 |
| Visual Arts Education Center (Snohomish County) | $1,000,000 |
| Viva Vera Capital Campaign | $70,000 |
| Total | ((~~$11,600,000~~)) $10,600,000 |

Appropriation:

State Building Construction Account--State . . . . ((~~$11,600,000~~)) $10,600,000

Prior Biennia (Expenditures) . . . . . $0

Future Biennia (Projected Costs) . . . . . $48,000,000

TOTAL . . . . . ((~~$59,600,000~~)) $58,600,000

**Sec. 1012.** 2009 c 497 s 1045 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~)) COMMERCE**

Housing Assistance, Weatherization, and Affordable Housing (30000013)

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

(1) $7,000,000 of the appropriations 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, 2011, shall be added to the amount appropriated for the general pool of projects.

(2) $3,000,000 of the appropriations 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) $10,000 of the appropriations is provided solely to the ((~~Ballard food bank/Ballard homes for all coalition~~)) St. Luke's Lutheran Church/Interfaith Task Force on Homelessness for the construction of a mobile camp facility.

(4) $2,500,000 of the appropriations is provided solely for the development of farm infrastructure improvements. Any of this appropriation that is not obligated by June 30, 2011, must be added to the amount appropriated for the general pool of projects.

(5) $1,000,000 from the taxable bonds account is provided solely for the development or preservation of farmworker housing for migrant and seasonal farmworkers located on private farms.

(6) $5,000,000 of the appropriation from the state building construction account is provided solely to build low- income housing units in underserved communities and to concurrently develop capacity in these same communities. Underserved communities of concern are those that have high levels of poverty, specifically, thirty percent of the local median income; experience chronic homelessness; and lack affordable housing. Underserved communities include veterans, immigrants, refugees, and those communities of color disproportionately impacted by chronic homelessness and lack of affordable housing. The department shall collaborate with representatives of underserved communities and organizations committed to assistance in these efforts to prioritize and plan distribution of funding.

(7) The department may not make loans from capital bond proceeds appropriated in this section if the appropriations are also obligated for other grants or loans or if the anticipated repayments of the loans are from future state legislative appropriations.

(8) The legislature recognizes and supports the housing priorities reflected in the American recovery and reinvestment act of 2009 with the estimated amount of $144,000,000 provided solely for the following programs:

(a) The community development fund's neighborhood stabilization fund to purchase and rehabilitate foreclosed vacant properties and to help create affordable housing and stabilize neighborhoods.

(b) The public housing capital fund to assist housing authorities build and rehabilitate low-income housing stock. Housing authorities are required to give priority consideration to the rehabilitation of vacant rental units and capital projects that are already underway or included in the five-year capital fund plans.

(c) HOME funding to the Washington state housing finance commission for a competitive program pursuant to the qualified allocation plan to owners of projects who have received or receive simultaneously an award of low-income housing tax credits under section 42(h) of the internal revenue code of 1986.

(d) Weatherization appropriated in section 1052 of this act for grants and loans to local energy programs for weatherization of multifamily and single family homes.

<u>(9) $5,000,000 is provided solely for two geographically diverse projects that serve security lifeline clients who are homeless and have a mental or behavioral health disorder. This housing must be provided in coordination with community agencies who can offer supportive services.</u>

<u>(10) Up to $25,000,000 of the appropriation is for the department of commerce to contract with the Washington state housing finance commission to provide equity funding and administration necessary to implement the Washington works housing program and to facilitate nonprofit entities' use of tax-exempt multifamily bonds issued by the Washington state housing finance commission. The projects receiving these funds shall meet the affordability requirement for the period after initial bond indebtedness, as established in section 2(2) of chapter 6, Laws of 2010.</u>

Appropriation:

State Building Construction Account--State . . . . ((~~$30,000,000~~)) $34,500,000

State Taxable Building Construction Account--State . . . . . ((~~$60,000,000~~)) $85,500,000

Washington Housing Trust Account--State . . . . . $10,000,000

Subtotal Appropriation . . . . . ((~~$100,000,000~~)) $130,000,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $400,000,000

TOTAL . . . . . ((~~$500,000,000~~)) $530,000,000

**Sec. 1013.** 2009 c 497 s 1046 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~)) COMMERCE**

Community Schools (91000002)

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

(1) 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.

(a) 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: Fauntleroy school, University Heights school, and Martin Luther King elementary school.

(b) 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:

(i) A list of partner entities that will assist the lead eligible applicant to provide or coordinate services for children and families;

(ii) A memorandum of understanding between the lead eligible applicant and each partner; and

(iii) 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.

(c) 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.

(d) 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.

(e) 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.

(2) The construction of a non-mobile facility, accessible to students in central and eastern Washington for the purpose of financial literacy education, for the eastern and western Washington junior achievement world initiative.

(3) $1,500,000 of the appropriation in this section is provided solely for acquisition of the Martin Luther King elementary school. This is in addition to the amount provided for the Martin Luther King elementary school in section 1033, chapter 497, Laws of 2009.

Appropriation:

State Building Construction Account--State . . . . . ((~~$5,000,000~~))
$6,500,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . ((~~$5,000,000~~))
$6,500,000

**Sec. 1014.** 2009 c 497 s 1048 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ((~~COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT~~)) COMMERCE**

Local and Community Projects (30000019)

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

(1) 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 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) 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.

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

**Local Community Projects**

| | |
|---|---|
| 7th St. Theater | $330,000 |
| Arc of Tri-Cities | $900,000 |
| Bellevue Clinic--Seattle Children's Hospital | $2,000,000 |
| Blessed Sacrament Food and Emergency Facilities Renovation | $200,000 |
| Children's Village Expansion Project | $500,000 |
| Clark County Food Distribution Facility | $1,500,000 |
| Coal Creek YMCA (Newcastle) | $800,000 |
| Dawson Place Child Advocacy Center | $1,000,000 |
| Federal Way National Little League Field Lighting Project and Monument Entry Sign | $177,000 |
| Harlequin Theater | $235,000 |
| Home Dialysis Center and Professional Workforce Training | $250,000 |
| Kirkland Park Place Redevelopment | $2,000,000 |
| Livingston Baker Fire and Life Safety | $750,000 |
| Marshland Diking District | $500,000 |
| Marysville Boys & Girls Club | $500,000 |
| McClure Middle School Energy Saving Performance Contract Demonstration Project | $1,000,000 |
| Mountains to Sound Greenway | $100,000 |
| Mukilteo Boys & Girls Club | $150,000 |
| Neighborcare Health Clinic and Rainier Beach Medical Clinic | $1,000,000 |
| Parkland at Japanese Gulch | $1,000,000 |
| Petrovitsky Park Upgrade | $750,000 |
| Phoenix House | $200,000 |
| Poulsbo Marine Center | $500,000 |
| Public Broadcasting Frequency Expansion | $223,000 |
| ((~~Ready by Five Early Learning Center~~ | ~~$1,000,000~~)) |
| Renovations to Mill Creek City Annex Building | $30,000 |
| Snohomish County Emergency Center | $1,000,000 |
| South Tacoma Community Center | $1,000,000 |
| Whatcom Hospice House | $700,000 |
| Zina Linnik | $950,000 |

Appropriation:

State Building Construction Account--State . . . . ((~~$21,245,000~~))
$20,245,000

Prior Biennia (Expenditures) . . . . . $0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . ((~~$21,245,000~~))
$20,245,000

NEW SECTION. **Sec. 1015.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

2010 Local and Community Projects (30000082)

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

(1) 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.

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

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

(4) 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(6).

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

(6) 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.

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

**Local Community Projects**

| | |
|---|---|
| Aviation High School | $2,000,000 |
| Children's Village Expansion | $250,000 |
| East King County Performing Arts Center (PACE) | $2,000,000 |
| Hanford Reach Interpretive Center | $500,000 |
| Junior Achievement (Statewide JA World Initiative) | $1,500,000 |
| Lake Boren Park - Replace Unsafe Playground | $325,000 |
| Museum of Flight Space Gallery | $3,000,000 |
| Pike Market Workforce Childcare Facility | $1,000,000 |
| Rainier Beach Medical & Dental Clinic (Neighborcare Health) | $500,000 |
| Relocation of NAVES Mental Health Center in Brien | $1,000,000 |
| Restoration of Historic Piciform Theater | $250,000 |
| San Juan Island Farmers Market - Purchase Historic Building | $375,000 |
| South King County Multi service Center | $300,000 |
| Spokane Aerospace Technology Center Design | $400,000 |
| Urban League Village at Colman School/NW African American Museum | $100,000 |
| West Hill/Skyway Area Infrastructure | $250,000 |

Appropriation:

State Building Construction Account--State . . . . . $13,750,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . .$13,750,000

NEW SECTION. **Sec. 1016.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Jobs Act for K-12 Public Schools and Higher Education Institutions (91000085)

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

(1) The appropriation is provided solely for grants to public school districts and public higher education institutions for operational cost savings improvements to public school district and higher education facilities and related projects that result in energy and operational cost savings. Related projects are those projects that

must be completed in order for the energy efficiency improvements to be effective. Grants may also be used for loan interest payments over the term of a loan.

(2) The department of commerce, in consultation with the department of general administration, the office of the superintendent of public instruction, and the Washington State University energy program shall establish a competitive process to solicit and evaluate applications from public school districts and public higher education institutions. Final grant awards shall be determined by the department of commerce.

(3) The definitions in this section apply throughout this section.

(a) "Cost-effectiveness" means that the present value to public school districts and public higher education institutions of the energy reasonably expected to be saved or produced by a facility, activity, measure, or piece of equipment over its useful life, including any compensation received from a utility or the Bonneville power administration, is greater than the net present value of the costs of implementing, maintaining, and operating such facility, activity, measure, or piece of equipment over its useful life, when discounted at the cost of public borrowing.

(b) "Energy equipment" means energy management systems and any equipment, materials, or supplies that are expected, upon installation, to reduce the energy use or energy cost of an existing building or facility, and the services associated with the equipment, materials, or supplies, including but not limited to design, engineering, financing, installation, project management, guarantees, operations, and maintenance. Reduction in energy use or energy cost may also include reductions in the use or cost of water, wastewater, or solid waste.

(c) "Energy cost savings" means savings realized in expenses for energy use and expenses associated with water, wastewater, or solid waste systems.

(d) "Energy savings performance contracting" means the process authorized by chapter 39.35C RCW by which a company contracts with a public agency to conduct energy audits and guarantee energy savings from energy efficiency.

(e) "Operational cost savings" means savings realized from parts, service fees, capital renewal costs, and other measurable annual expenses to maintain and repair systems. This definition does not mean labor savings related to existing facility staff.

(f) "Public facilities" means buildings, building components, and major equipment or systems owned by public school districts and public higher education institutions.

(g) "Innovative measures" means advanced or emerging technologies, systems or approaches that may not yet be in common practice but improve energy efficiency, accelerate deployment, or reduce energy usage, and become widely commercially available in the future if proven successful in demonstration programs without compromising the guaranteed performance or measurable energy and operational cost savings anticipated. Examples of innovative measures include, but are not limited to, advanced energy and systems operations monitoring, diagnostics and controls systems for buildings; novel heating, cooling, ventilation and water heating systems; advanced windows and insulation technologies, highly efficient lighting technologies, designs, and controls; and integration of renewable energy sources into buildings, and energy savings verification technologies and solutions.

(4) Grants must be awarded in competitive rounds, based on demand and capacity, with at least five percent of each grant round awarded to small public school districts with fewer than 1,000 full-time equivalent students, based on demand and capacity.

(5) Within each competitive round, projects must be weighted and prioritized based on the following criteria and in the following order:

(a) Leverage ratio: In each round, the higher the leverage ratio of nonstate funding sources to state jobs act grant, the higher the project ranking.

(b) Energy savings: In each round, the higher the energy savings, the higher the project ranking. Applicants must submit documentation that demonstrates energy and operational cost savings resulting from the installation of the energy equipment and improvements. The energy savings analysis shall be performed by a licensed engineer, and the documentation must include but is not limited to the following:

(i) A description of the energy equipment and improvements;

(ii) A description of the energy and operational cost savings; and

(iii) A description of the extent to which the project employs collaborative and innovative measures and encourages demonstration of new and emerging technologies with high energy-savings or energy cost-reductions.

(c) Expediency of expenditure: Project readiness to spend funds must be prioritized so that the legislative intent to expend funds quickly is met.

(6) Projects that do not use energy savings performance contracting must: (a) Verify energy and operational cost savings for ten years or until the energy and operational costs savings pay for the project, whichever is shorter; (b) follow the department of general administration's energy savings performance contracting project guidelines; and (c) employ a licensed engineer for the energy audit and construction. The department of commerce may require third-party verification of savings if a project is not implemented by an energy savings performance contractor selected by the department of general administration through the request of qualifications process. Third-party verification must be conducted either by an energy savings performance contractor selected by the department of general administration through a request for qualifications, a licensed engineer that is a certified energy manager, a project resource conservation manager, or educational service district resource conservation manager.

(7) To intensify competition, the department of commerce may only award funds to the top eighty-five percent of projects applying in a round until the department of commerce determines a final round is appropriate. Projects that do not receive a grant award in one round may reapply in subsequent rounds.

(8) To match federal grants and programs that require state matching funds and produce significantly higher efficiencies in operations and utilities, the level of innovation criteria may be increased for the purposes of weighted scoring to capture those federal dollars for selected projects that require a higher level of innovation and regional collaboration.

(9) Grant amounts awarded to each project must allow for the maximum number of projects funded with the greatest energy and cost benefit.

(10)(a) The department of commerce must use bond proceeds to pay one-half of the preliminary audit, up to five cents per square foot, if the project does not meet the school district's and higher education institution's predetermined cost-effectiveness criteria. Public school

districts and public higher education institutions must pay the other one-half of the cost of the preliminary audit if the project does not meet their predetermined cost-effectiveness criteria.

(b) The energy savings performance contractor shall not charge for an investment grade audit if the project does not meet the school district's and higher education institution's predetermined cost-effectiveness criteria. Public school districts and public higher education institutions must pay the full price of an investment grade audit if they do not proceed with a project that meets the school district's and higher education institution's predetermined cost-effectiveness criteria.

(11) The department of commerce may charge projects administrative fees and may pay the department of general administration, the Washington State University energy program, and the office of the superintendent of public instruction administration fees in an amount determined through a memorandum of understanding.

(12) The department of commerce and the department of general administration must submit a joint report to the appropriate committees of the legislature and the office of financial management on the timing and use of the grant funds, program administrative function, compliance with apprenticeship utilization requirements in RCW 39.04.320, compliance with prevailing wage requirements, and administration fees by the end of each fiscal year, until the funds are fully expended and all savings verification requirements are fulfilled.

Appropriation:

State Building Construction Account--State . . . . . $50,000,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . .$50,000,000

NEW SECTION. **Sec. 1017.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

Energy Regional Innovation Cluster Match (91000080)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely to support facilities to be located in Washington state to increase the

competitiveness of state or regional proposals for federal energy innovation and research funding. State funding must not exceed twenty percent of the total program or project funds. If a Washington state research organization is not awarded federal funding for energy innovation and research by June 30, 2011, the remaining appropriation in this section may be allotted for export assistance as provided in section 1018 of this act.

Appropriation:

Public Facility Construction Loan Revolving Account--State . . . . . $5,500,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $5,500,000

NEW SECTION. **Sec. 1018.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF COMMERCE**

CERB - Export Assistance Grants and Loans (92000069)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for loans and grants to local governments and public institutions of higher education for technical assistance and infrastructure to support growth of export of Washington state products and services.

Appropriation:

Public Facility Construction Loan Revolving Account--State . . . . . $3,000,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $3,000,000

**Sec. 1019.** 2009 c 497 s 1054 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Cowlitz River Dredging (20082856)

Reappropriation:

State Building Construction Account--State . . . . . $313,000

Appropriation:

State Building Construction Account--State . . . . . $500,000

Prior Biennia (Expenditures) . . . . . $687,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$1,000,000~~))

$1,500,000

**Sec. 1020.** 2009 c 497 s 1055 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Catastrophic Flood Relief (20084850)

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

(1) $1,640,000 of the reappropriation is provided solely for nonfederal matching funds and state agency costs associated with the army corps of engineers flood hazard mitigation projects for the Chehalis river basin.

(2) $1,200,000 of the total reappropriation is provided solely for the Chehalis basin flood control authority to develop governance agreements for development, operation, and maintenance of flood hazard mitigation measures throughout the basin. The development of the governance agreements shall include preliminary estimates of local property tax options necessary to support the maintenance and operation of the twin city levy project and tax options necessary to support other possible flood control measures throughout the basin. The agreements must be executed by July 1, 2011.

(3)(a) $2,000,000 of the reappropriation is provided solely for the following studies of flood mitigation measures: (i) Studies contracted prior to the effective date of this act; (ii) a study to evaluate the feasibility of a combination of the United States' army corps of engineers twin city project, with other retention structures, and nonstructural flood mitigation measures to be completed by June 30, 2011; (iii) a study to determine how ecosystem services, including nonstructural alternatives, would likely mitigate downstream flooding to be completed by December 2010; (iv) continuation of the general investigation of basin wide flood control measures by the United States' army corps of engineers; (v) an independent peer review of completed geotechnical and hydrological studies of possible upper basin

retention structures to be completed by October 2010; (vi) a study of the effect of possible retention structures and other flood control measures on fish in the basin to be completed by June 2011, provided that the fish study shall not examine options for retention structures that the peer review in this section determines is not feasible.

(b) From the effective date of this act and prior to any expenditure on new studies, the Chehalis basin flood authority must submit any new study proposal to the basinwide general investigation project manager of the United States army corps of engineers for review. Based upon the United States army corps of engineers review of the proposal, the Chehalis basin flood authority must develop a proposed scope of work for the study that ensures, to the fullest extent possible, that the study will be eligible for federal work-in-kind credit.

(c) The Chehalis basin flood authority must: (i) In consultation with the department of ecology, select qualified experts to conduct the peer review of geotechnical and hydrological studies; and (ii) consult with the Washington state department of fish and wildlife, the confederated tribes of the Chehalis reservation, and the Lewis county public utility district to develop and agree upon a scope of work for, and select a qualified expert to, conduct the fish study. The peer review must be submitted to the office of financial management before funds are allotted for the fish study.

(4) $300,000 of the reappropriation is provided solely for an early flood warning system.

(5) It is the intent of the legislature to fulfill the commitment of section 101, chapter 179, Laws of 2008 and chapter 180, Laws of 2008, by appropriating funds when the federal match requirement is needed.

Reappropriation:

State Building Construction Account--State . . . . ((~~$47,351,000~~))
$5,140,000

Prior Biennia (Expenditures) . . . . . ((~~$2,649,000~~))
$3,450,000

Future Biennia (Projected Costs) . . . . . ((~~$0~~))
$41,410,000

TOTAL . . . . . $50,000,000

NEW SECTION. **Sec. 1021.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Risk Pool (91000001)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for a risk pool to complete projects within the scope described in budget documents submitted as part of the governor's capital budget request and consistent with legislative history. This section only applies to projects included in this 2010 supplemental capital budget with reduced appropriations. The office of financial management may allot portions of this appropriation ten days after notifying the senate ways and means committee and the house of representatives capital budget committee. The notification must include an explanation of the need and the amount for the allotment to complete the scope of an approved project.

Appropriation:

State Building Construction Account--State . . . . . $4,000,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $4,000,000

NEW SECTION. **Sec. 1022.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT**

Port Angeles Economic Development Agreement (30000024)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely to carry out paragraph 2.C. of the economic development agreement associated with the case of *Lower Elwha Klallam Tribe et al v. State et al*, Thurston county superior court, cause No. 05-2-01595-8. The state has already provided $250,000 to carry out that paragraph. After disbursement of the appropriation in this section, the state will provide no further funding under the economic development agreement.

Appropriation:

State Building Construction Account--State . . . . . $250,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $250,000

NEW SECTION. **Sec. 1023.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT.** (1) Due to the downturn of the economy and the direct effects on the state bond debt limit, the legislature intends to reduce bond debt while focusing resources on maintaining and creating jobs. Therefore, the legislature directs the office of financial management to work with state agencies to achieve savings in the amount of $50,000,000 by reducing previously approved allotments or by withholding approval of planned allotments for those projects that have not shown substantial progress under the criteria established in subsection (2) of this section or from projects with savings identified pursuant to section 6012 of this act.

(2) A project is subject to allotment reduction or non-approval of a planned allotment under this section if:

(a)(i) It is a state project administered by a state agency; or

(ii) It is a grant or a loan project for which a state agency allocates funding to a non-state entity;

(b) Appropriations for the project were made in the 2009-11 or previous omnibus capital appropriations acts from the state building construction account, state taxable building construction account, or any other debt limit bond account, not including projects receiving 2010 supplemental capital budget appropriations, minor works projects, or the school construction assistance grant program; and

(c) The project has failed to secure all required and appropriate transaction elements necessary to execute contracts with the administering state agency by November 30, 2010. Required and appropriate transaction elements may include, but are not limited to, matching funds, permits, environmental reviews, and required contracts and partnership agreements.

(3) Amounts attributable to allotment reductions or non-approval of planned allotments made under this section must be placed in or remain in unallotted status and remain unexpended.

(4) By December 31, 2010, the office of financial management must report to the house of representatives capital budget committee and the

senate ways and means committee on the projects for which allotments were reduced or for which approval was withheld, including a list of the specific projects and related funds remaining in unallotted status.

(5) Agencies and prospective grant or loan recipients are encouraged to reapply or request funds in the 2011-13 biennial capital appropriations act for projects for which allotments were reduced or not approved under this section.

**Sec. 1024.** 2009 c 497 s 1065 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

O'Brien Building Improvements (20081007)

The appropriation in this section is subject to the following conditions and limitations: Upon completion of the project, temporary modular buildings shall be removed, and the parking lot shall be restored and landscaped within budget.

Reappropriation:

State Building Construction Account--State . . . . . $1,500,000

Appropriation:

State Building Construction Account--State . . . . . ((~~$9,671,000~~)) $8,220,000

Prior Biennia (Expenditures) . . . . . $1,481,000

Future Biennia (Projected Costs) . . . . . ((~~$5,329,000~~)) $0

TOTAL . . . . . .((~~$17,981,000~~)) $11,201,000

**Sec. 1025.** 2009 c 497 s 1071 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Capital Lake Plan Completion (20082953)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided for lake management efforts to control invasive species. The Capital Lake adaptive management planning process must be suspended.

Reappropriation:

State Building Construction Account--State . . . . . ((~~$200,000~~))

$100,000

Prior Biennia (Expenditures) . . . . . $300,000
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . ((~~$500,000~~))
$400,000

**Sec. 1026.** 2009 c 497 s 1075 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Powerhouse: Improvements and Preservation (30000056)

Appropriation:

State Building Construction Account--State . . . . . ((~~$1,459,000~~))
$1,240,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . ((~~$1,459,000~~))
$1,240,000

**Sec. 1027.** 2009 c 497 s 1060 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Transportation Building Preservation (20021008)

Reappropriation:

Thurston County Capital Facilities Account--State . ((~~$2,500,000~~))
$395,000

Appropriation:

State Building Construction Account--State . . . . . $2,105,000

Prior Biennia (Expenditures) . . . . . $7,116,000
Future Biennia (Projected Costs) . . . . . .$22,706,000
TOTAL . . . . . .$32,322,000

**Sec. 1028.** 2009 c 497 s 1061 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Highway-License Building Repair and Renewal (20061013)

Reappropriation:

Thurston County Capital Facilities Account--State . . ((~~$100,000~~)) $76,000

Appropriation:

State Building Construction Account--State . . . . . $24,000

Prior Biennia (Expenditures) . . . . . $3,423,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $3,523,000

**Sec. 1029.** 2009 c 497 s 1063 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Natural Resources Building Repairs and Renewal (20061014)

Reappropriation:

State Vehicle Parking Account--State . . . . . $30,000

Thurston County Capital Facilities Account--State . . ((~~$100,000~~)) $22,000

Subtotal Reappropriation . . . . . ((~~$130,000~~)) $52,000

Appropriation:

State Building Construction Account--State . . . . . $78,000

Prior Biennia (Expenditures) . . . . . $2,853,000

Future Biennia (Projected Costs) . . . . . $4,520,000

TOTAL . . . . . $7,503,000

**Sec. 1030.** 2009 c 497 s 1064 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Minor Works - Infrastructure Preservation (20081004)

Reappropriation:

((~~Thurston County Capital Facilities Account--State . . $136,000~~))

State Building Construction Account--State . . . . . $584,000

((~~Subtotal Reappropriation . . . . . $720,000~~))

Appropriation:

State Building Construction Account--State . . . . . $136,000

Prior Biennia (Expenditures) . . . . . $4,401,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $5,121,000

**Sec. 1031.** 2009 c 497 s 1068 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Minor Works - Facility Preservation (20081015)

Reappropriation:

State Building Construction Account--State . . . . . $380,000

((~~Thurston County Capital Facilities Account--State . . . $723,000~~

~~Subtotal Reappropriation . . . . . $1,103,000~~))

Appropriation:

State Building Construction Account--State . . . . . $723,000

Prior Biennia (Expenditures) . . . . . $5,583,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $6,686,000

**Sec. 1032.** 2009 c 497 s 1073 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Minor Works Preservation (30000012)

Appropriation:

State Building Construction Account--State . . . . . ((~~$2,800,000~~))

$3,400,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . .$34,109,000

TOTAL . . . . . .((~~$36,909,000~~))

$37,509,000

NEW SECTION. **Sec. 1033.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Capitol Campus Heating System Improvements (30000486)

Appropriation:

State Building Construction Account--State . . . . . $200,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $1,800,000

TOTAL . . . . . $2,000,000

**Sec. 1034.** 2009 c 497 s 1081 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION**

Pro Arts Building (91000002)

((~~The appropriation in this section is subject to the following conditions and limitations: Predesign and design funds are provided solely to develop a new office building. Up to $225,000 may be used to develop the predesign for the Pro Arts site to include a new office building that may house tenants from the general administration building including the office of financial management, the Puget Sound partnership, the office of the state treasurer, and other small commissions and agencies. The predesign shall be developed with representatives from the capitol campus design advisory committee, the department of general administration, and the office of financial management. The predesign shall be used to develop the optimum use of space for the Pro Arts site, identify any required mitigation, parking requirements, schedule of construction, and cost of construction. The predesign shall be provided to the appropriate fiscal committees of the legislature and the office of financial management by February 1, 2010. The allotment for design funds will be made after the predesign is approved by the office of financial management and the appropriate fiscal committees of the legislature.~~))

Appropriation:

State Building Construction Account--State . . . . . ((~~$2,000,000~~)) $225,000

Prior Biennia (Expenditures) . . . . . $0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$2,000,000~~)) $225,000

NEW SECTION. **Sec. 1035.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE MILITARY DEPARTMENT**

Camp Murray New Primary Gate Entrance (30000482)

Appropriation:

General Fund--Federal . . . . . $3,270,000
Military Department Capital Account--State . . . . . $1,657,000
Subtotal Appropriation . . . . . $4,927,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $4,927,000

**Sec. 1036.** 2009 c 497 s 1086 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**

Minor Works Preservation (30000002)

Appropriation:

General Fund--Federal . . . . . ((~~$3,069,000~~))
<u>$8,672,000</u>
State Building Construction Account--State . . . . . $1,709,000
Subtotal Appropriation . . . . . ((~~$4,778,000~~))
<u>$10,381,000</u>

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $18,700,000
TOTAL . . . . . .((~~$23,478,000~~))
<u>$29,081,000</u>

**Sec. 1037.** 2009 c 497 s 1087 (uncodified) is amended to read as follows:

**FOR THE MILITARY DEPARTMENT**

Minor Works Program (30000003)

Appropriation:

General Fund--Federal . . . . . ((~~$679,000~~))
<u>$3,139,000</u>

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $10,229,000
TOTAL . . . . . .((~~$10,908,000~~))
<u>$13,368,000</u>

<u>NEW SECTION.</u> **Sec. 1038.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE MILITARY DEPARTMENT**

Combined Support Maintenance Shop (20082006)

Appropriation:

General Fund--Federal . . . . . $4,736,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $22,164,000

TOTAL . . . . . $26,900,000

(End of part)

## PART 2
## HUMAN SERVICES

**Sec. 2001.** 2009 c 497 s 2001 (uncodified) is amended to read as follows:

**FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

Replace Hawthorne Hall Dormitory (20082001)

((~~The appropriation in this section is subject to the following conditions and limitations: The office of financial management shall allot funds for the dormitory construction at the criminal justice training commission only after the recommendation of the steering committee participating in the analysis in section 1057 of this act has been provided to the legislative fiscal committees and submitted to the office of financial management for review.~~

~~Appropriation:~~

~~State Building Construction Account--State . . . . . $16,745,000~~))

Reappropriation:

State Building Construction Account--State . . . . . $632,000

Prior Biennia (Expenditures) . . . . . $1,293,000

Future Biennia (Projected Costs) . . . . . ((~~$0~~))
$16,934,000

TOTAL . . . . . .((~~$18,670,000~~))
$18,859,000

**Sec. 2002.** 2009 c 497 s 2002 (uncodified) is amended to read as follows:

**FOR THE CRIMINAL JUSTICE TRAINING COMMISSION**

School Mapping (30000011)

The appropriation in this section is subject to the following conditions and limitations: The legislature intends to complete half of the remaining community and technical college mapping with this appropriation ((~~and to appropriate funding for the remaining half of unmapped square feet in community and technical colleges in the 2011-13 biennium~~)).

Appropriation:

State Building Construction Account--State . . . . . ((~~$500,000~~)) $1,100,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . ((~~$546,000~~)) $0

TOTAL . . . . . ((~~$1,046,000~~)) $1,100,000

NEW SECTION. **Sec. 2003.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF LABOR AND INDUSTRIES**

Central Office Roof Replacement and Fall Restraint Upgrade (30000012)

Appropriation:

Accident Account--State . . . . . $1,250,000

Medical Aid Account--State . . . . . $1,250,000

Subtotal Appropriation . . . . . $2,500,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $2,500,000

**Sec. 2004.** 2009 c 497 s 2027 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Eastern State Hospital: Roof Replacements (30000846)

Appropriation:

State Building Construction Account--State . . . . . ((~~$1,085,000~~)) $922,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $1,088,000

TOTAL . . . . . ((~~$2,173,000~~)) $2,010,000

**Sec. 2005.** 2009 c 497 s 2014 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Special Commitment Center: Utility Replacements (20081504)

The reappropriation and appropriation in this section are subject to the following conditions and limitations: It is the intent of the appropriation and reappropriation to replace essential utilities, such as sanitary sewer, high voltage electrical, and fiber optic communications, serving the special commitment center and McNeil corrections center on McNeil Island by replacing the Island's electrical feed from the shoreline landing to the McNeil corrections center generator building, and continuing on to the special commitment center. The department shall coordinate the work with the department of corrections for the most cost-effective approach to the work.

Reappropriation:

State Building Construction Account--State . . . . . $2,900,000

Appropriation:

State Building Construction Account--State . . . . . ((~~$3,490,000~~))
<u>$2,966,000</u>

Prior Biennia (Expenditures) . . . . . $140,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$6,530,000~~))
<u>$6,006,000</u>

<u>NEW SECTION.</u> **Sec. 2006.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES**

Capacity to Replace Maple Lane School (92000005)

Appropriation:

State Building Construction Account--State . . . . . $760,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $1,025,000

TOTAL . . . . . $1,785,000

**Sec. 2007.** 2009 c 497 s 2034 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF HEALTH**

Drinking Water Assistance Program (30000013)

The appropriation in this section is subject to the following conditions and limitations: $38,462,000 is provided from the American recovery and reinvestment act of 2009.

Appropriation:

Drinking Water Assistance Account--Federal . . . . ((~~$24,348,000~~)) $38,348,000

Drinking Water Assistance Account--Federal American Recovery and Reinvestment Act . . . . . .$38,462,000

Subtotal Appropriation . . . . . .((~~$62,810,000~~)) $76,810,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . .((~~$62,810,000~~)) $76,810,000

**Sec. 2008.** 2009 c 497 s 2037 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

State Veterans Cemetery (20082004)

Reappropriation:

General Fund--Federal . . . . . $6,815,000

Appropriation:

General Fund--Federal . . . . . $1,909,000

Prior Biennia (Expenditures) . . . . . $1,010,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$7,825,000~~)) $9,734,000

**Sec. 2009.** 2009 c 497 s 2038 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF VETERANS AFFAIRS**

Minor Works - Facilities Preservation (30000003)

Appropriation:

State Building Construction Account--State . . . . . ((~~$500,000~~)) $775,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $6,585,000
TOTAL . . . . . ((~~$7,085,000~~))
$7,360,000

**Sec. 2010.** 2009 c 497 s 2067 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Washington Corrections Center for Women: Roof Replacement (30000178)

Appropriation:

State Building Construction Account--State . . . . . ((~~$1,832,000~~))
$1,557,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . ((~~$1,832,000~~))
$1,557,000

NEW SECTION. **Sec. 2011.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

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

Appropriation:

State Building Construction Account--State . . . . . $5,990,000
Public Safety Reimbursable Bond Account . . . . . .$829,000
Subtotal Appropriation . . . . . $6,819,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . .$44,000,000
TOTAL . . . . . .$50,819,000

**Sec. 2012.** 2009 c 497 s 2072 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Clallam Bay Corrections Center: Replace 5 Towers and Housing Roofs (30000108)

The appropriation in this section is subject to the following

conditions and limitations: The funding is provided solely for the replacement of roofs on offender housing units.

Appropriation:

State Building Construction Account--State . . . . . ((~~$3,000,000~~)) $2,550,000

Prior Biennia (Expenditures) . . . . . $0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$3,000,000~~)) $2,550,000

**Sec. 2013.** 2009 c 497 s 2075 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Monroe Corrections Center: Water Line Replacements (30000137)

Appropriation:

State Building Construction Account--State . . . . . ((~~$1,809,000~~)) $1,538,000

Prior Biennia (Expenditures) . . . . . $0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$1,809,000~~)) $1,538,000

**Sec. 2014.** 2009 c 497 s 2078 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Washington State Penitentiary: Kitchen Improvements (20061007)

Reappropriation:

State Building Construction Account--State . . . . . ((~~$402,000~~)) $0

Prior Biennia (Expenditures) . . . . . $228,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$630,000~~)) $228,000

**Sec. 2015.** 2009 c 497 s 2068 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

300 Minimum Security Bed Expansion - Three Locations (20082850)

Reappropriation:

State Building Construction Account--State . . . . . ((~~$321,000~~)) $15,000

Prior Biennia (Expenditures) . . . . . $156,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$477,000~~)) $171,000

**Sec. 2016.** 2009 c 497 s 2054 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Washington State Penitentiary: Replace Roofs (20081007)

Reappropriation:

State Building Construction Account--State . . . . . ((~~$1,200,000~~)) $180,000

Prior Biennia (Expenditures) . . . . . $589,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$1,789,000~~)) $769,000

**Sec. 2017.** 2009 c 497 s 2064 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Mission Creek Corrections Center for Women: 100-Bed Expansion (20082020)

Reappropriation:

State Building Construction Account--State . . . . . ((~~$5,331,000~~)) $4,419,000

Prior Biennia (Expenditures) . . . . . $1,296,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$6,627,000~~)) $5,715,000

NEW SECTION. **Sec. 2018.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF CORRECTIONS**

Westside Corrections Complex: Siting and Predesign (92000032)

Appropriation:

State Building Construction Account--State . . . . . $2,600,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $2,600,000

(End of part)

## PART 3
## NATURAL RESOURCES

**Sec. 3001.** 2009 c 497 s 3059 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Kittitas Groundwater Study (30000029)

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

By September 30, 2010, if, after consultation with major Yakima basin governments and stakeholders, the department of ecology and Kittitas county reach an agreement on a preferred approach, including the appropriate geographic scope and administering entity, the appropriation may be fully or partially redirected for the following purposes:

(1) Funds may be provided to develop and implement water banking and transfer methods and agreements that are fully protective of senior water rights and that protect domestic groundwater users and improve the profitability of farming operations. The legislature finds such activities to be in the public interest because they can help sustain the viability of the agricultural economy and enhance the certainty of water supplies for domestic groundwater users.

(2) Funds may be provided to lease or purchase water rights to create a reserve water supply for domestic groundwater users that have a groundwater right with a priority date later than May 10, 1905, as well as for all out-of-priority groundwater users. In securing water for such domestic groundwater users, strong preference shall be given to the use of water banking and transfer methods that provide alternatives to permanent purchase and dry-up of agricultural water rights in the basin, including dry-year options, water banking, long-term water supply lease agreements, long-term agricultural land fallowing agreements, and reduced consumptive use through efficiency or alternative cropping arrangements while maintaining historic return flows.

(3) A portion of the appropriation may be used for administrative costs, not to exceed four percent, and other costs associated with

leasing or acquiring and transferring the water rights. All costs shall be fully recovered from participating domestic water users for their prorated portion of the cost, including but not limited to the costs of securing a water right or rights for this purpose, costs associated with the development and implementation of alternative agricultural water transfer methods, associated annual operational costs, and federal water service contract costs owed to the United States bureau of reclamation. Funds recovered in this manner shall be deposited in the state and local improvement revolving fund and may be used for any purpose provided in this section.

Appropriation:

State and Local Improvements Revolving Account
(Water Supply Facilities)--State . . . . . $700,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $700,000

**Sec. 3002.** 2009 c 497 s 3039 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Flood Protection Study (20082855)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation 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 maintaining accreditation, re-accrediting, or recertifying ((~~the~~)) levees so that they ((~~provide~~)) are recognized by federal agencies as providing 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 must include the following components:

(1) A working group of levee managers, local agencies, and stakeholders to advise and inform the study;

(2) ((~~A~~)) In-state examples of the costs and processes of technical review of the structural integrity of levee systems;

(3) An inventory, map, and ((~~rate the effectiveness~~)) description of the level of protection 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;

(5) The identification of current funding sources and the amounts available for levee improvements; and

(6) Recommendation for additional new funding sources and options.

(7) The study must be completed and a report provided to the appropriate legislative committees by ((~~July~~)) December 1, 2010.

(8) The study under this section is exempt from the provisions of section 602, chapter 3, Laws of 2010 and section 7, chapter 5, Laws of 2009.

Reappropriation:

State Building Construction Account--State . . . . . $280,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $280,000

**Sec. 3003.** 2009 c 497 s 3007 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Sunnyside Valley Irrigation District Water Conservation (20052851)

Reappropriation:

State Building Construction Account--State . . . . . $2,800,000

Appropriation:

State Building Construction Account--State . . . . . ((~~$2,850,000~~)) $7,250,000

Prior Biennia (Expenditures) . . . . . $4,147,000

Future Biennia (Projected Costs) . . . . . $4,000,000

TOTAL . . . . . .((~~$13,797,000~~)) $18,197,000

**Sec. 3004.** 2009 c 497 s 3049 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Upper Columbia River Black Sand Beach Cleanup (30000016)

Appropriation:

State Building Construction Account--State . . . . . ((~~$3,000,000~~))

$500,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . ((~~$3,000,000~~))
$500,000

**Sec. 3005.** 2009 c 497 s 3054 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Storm Water Retrofit and Low-Impact Development Grant Program (30000097)

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

(1) $1,343,000 of the state toxics control account--state appropriation is provided solely for storm water retrofit and low-impact development in the city of Bremerton.

(2) $6,929,000 of the local toxics control account--state appropriation and $1,071,000 of the state toxics control account--state appropriation is provided solely for local governments to build staffing capacity to address storm water in their communities and to improve storm water research, data management, and monitoring.

(3) The remaining moneys must be allocated through a grant process to local governments covered by national pollutant discharge elimination system municipal phase I or phase II permits to fund local government projects or activities that mitigate or prevent contamination of storm water or the recontamination of receiving waters previously remediated under federal or state-approved activities.

Appropriation:

State Building Construction Account--State . . . . . ((~~$3,000,000~~))
$30,334,000
State Toxics Control Account--State . . . . . $15,737,000
State and Local Improvements Revolving Account - Waste
Disposal Facilities . . . . . $1,284,000
State and Local Improvements Revolving Account - Waste
Disposal Facilities, 1980 . . . . . $325,000
Local Toxics Control Account--State . . . . . $6,929,000
Subtotal Appropriation . . . . . ((~~$4,609,000~~))

$54,609,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . ((~~$4,609,000~~))
$54,609,000

**Sec. 3006.** 2009 c 497 s 3060 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Remedial Action Grant Program (30000039)

The appropriation in this section is subject to the following conditions and limitations: $3,000,000 is provided solely for the city of Bothell to remediate soil contamination.

Appropriation:
State Building Construction Account--State . . . . . $37,700,000
Local Toxics Control Account--State . . . . . $38,211,000
Subtotal Appropriation . . . . . $75,911,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $180,000,000
TOTAL . . . . . ((~~$217,700,000~~))
$255,911,000

**Sec. 3007.** 2009 c 497 s 3020 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Breazeale Interpretive Center (20082856)

Reappropriation:
General Fund--Federal . . . . . ((~~$270,000~~))
$419,000

Prior Biennia (Expenditures) . . . . . ((~~$225,000~~))
$76,000
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $495,000

NEW SECTION. **Sec. 3008.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Settlement Funding to Clean Up Toxic Sites (30000145)

Appropriation:

Cleanup Settlement Account--State . . . . . $8,500,000

Prior Biennia (Expenditures) . . . . . $0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $8,500,000

NEW SECTION. **Sec. 3009.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Cleanup Asarco Contamination on Vashon/Maury Islands and Mines (91000009)

The appropriation in this section is subject to the following conditions and limitations: $4,100,000 of the cleanup settlement account appropriation and $10,900,000 of the state toxics control account appropriation are provided solely for the department of ecology to assist King County in the acquisition and remediation of property on Vashon and Maury Islands. The properties are in the Tacoma smelter plume area and are contaminated with arsenic and other heavy metals from the Asarco smelter.

Appropriation:

Cleanup Settlement Account--State . . . . . $4,100,000

State Toxics Control Account--State . . . . . $10,900,000

Subtotal Appropriation . . . . . $15,000,000

Prior Biennia (Expenditures) . . . . . $0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $15,000,000

NEW SECTION. **Sec. 3010.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Clean Up Toxic Sites - Puget Sound (30000144)

The appropriation in this section is subject to the following conditions and limitations: $17,500,000 of the cleanup settlement

account--state appropriation is provided solely for cleanup activities associated with the Asarco contamination in Everett.

Appropriation:

State Building Construction Account--State . . . . . $511,000
Cleanup Settlement Account--State . . . . . $18,300,000
State Toxics Control Account--State . . . . . $22,387,000
Subtotal Appropriation . . . . . $41,198,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $41,198,000

NEW SECTION. **Sec. 3011.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Reducing Diesel Particle Emissions in Tacoma (30000139)

The appropriation in this section is provided contingent upon the department working with the Port of Tacoma to establish a diesel idling reduction program. The department shall report to the legislature by December 1, 2010, on the progress of the diesel idling reduction program and other efforts to reduce diesel particle emissions in Tacoma.

Appropriation:

Air Pollution Control Account--State . . . . . $1,000,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $1,000,000

NEW SECTION. **Sec. 3012.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Reducing Wood Smoke Particle Emissions in Tacoma (30000140)

Appropriation:

Air Pollution Control Account--State . . . . . $600,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $600,000

NEW SECTION. **Sec. 3013.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Fund Program Match (91000008)

Appropriation:

Public Works Assistance Account--State . . . . . $1,400,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $1,400,000

NEW SECTION. **Sec. 3014.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Water Pollution Control Revolving Fund Program (30000142)

Appropriation:

Water Pollution Control Revolving

Account--State . . . . . $25,000,000

Water Pollution Control Revolving

Account--Federal . . . . . $12,000,000

Subtotal Appropriation . . . . . $37,000,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . .$37,000,000

**Sec. 3015.** 2009 c 497 s 3052 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Safe Soils Remediation Program (30000019)

Appropriation:

State Building Construction Account--State . . . . . ((~~$4,000,000~~))

$2,380,000

Cleanup Settlement Account--State . . . . . $1,620,000

Subtotal Appropriation . . . . . $4,000,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $4,000,000

NEW SECTION. **Sec. 3016.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF ECOLOGY**

Wastewater Treatment and Water Reclamation (92000041)

The appropriation in this section is provided solely for wastewater treatment and reclamation projects as follows:

| **Project** | **Funding** |
|---|---|
| Potlatch wastewater treatment and reclamation | $1,645,000 |
| Willapa Harbor sewer project | $1,000,000 |
| Omak sanitary sewer project | $450,000 |
| Sultan wastewater treatment facility | $335,000 |

Appropriation:

State Building Construction Account--State . . . . . $3,430,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $3,430,000

**Sec. 3017.** 2009 c 497 s 3093 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Flaming Geyser State Park Park-wide Infrastructure Redevelopment (30000173)

Appropriation:

State Building Construction Account--State . . . . . ((~~$3,533,000~~)) $3,003,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$3,533,000~~)) $3,003,000

**Sec. 3018.** 2009 c 497 s 3094 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Dash Point State Park Sanitary Sewer Collection System (30000269)

Appropriation:

State Building Construction Account--State . . . . . ((~~$3,820,000~~)) $3,247,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$3,820,000~~)) $3,247,000

**Sec. 3019.** 2009 c 497 s 3090 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Illahee State Park Wastewater Treatment Upgrade (30000447)

Appropriation:

State Building Construction Account--State . . . . . ((~~$1,850,000~~)) $1,572,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$1,850,000~~)) $1,572,000

**Sec. 3020.** 2009 c 497 s 3091 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Cama Beach State Park (30000101)

Appropriation:

State Building Construction Account--State . . . . . ((~~$3,265,000~~)) $2,775,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$3,265,000~~)) $2,775,000

**Sec. 3021.** 2009 c 497 s 3085 (uncodified) is amended to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Federal Grant Authority (30000006)

The appropriation in this section is provided contingent upon the commission providing advance notice to the appropriate fiscal committees of the legislature and the office of financial management before applying for federal grants for acquisition of park lands and facilities. The commission shall submit this information in the form of a report that explains the funding source, the match and use requirements, a description of the project that will be funded, and a description of future impacts to the operating budget.

Appropriation:

General Fund--Federal . . . . . ((~~$990,000~~))
$1,990,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $4,000,000
TOTAL . . . . . ((~~$4,990,000~~))
$5,990,000

NEW SECTION. **Sec. 3022.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE STATE PARKS AND RECREATION COMMISSION**

Deception Pass State Park - Wastewater System (30000483)

Appropriation:

State Building Construction Account--State . . . . . $300,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $2,600,000
TOTAL . . . . . $2,900,000

**Sec. 3023.** 2009 c 497 s 3109 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Washington Wildlife and Recreation Program (20044002)

The reappropriations in this section are subject to the following conditions and limitations: Any amount of the reappropriations that is not obligated to a specific project may be used to fund alternate projects approved by the legislature from the same account in biennia succeeding that in which the moneys were originally appropriated.

Reappropriation:

Outdoor Recreation Account--State . . . . . $1,499,000
Habitat Conservation Account--State . . . . . ((~~$4,789,000~~))
$4,319,000
Subtotal Reappropriation . . . . . ((~~$6,288,000~~))
$5,818,000

Prior Biennia (Expenditures) . . . . . $38,712,000
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . ((~~$45,000,000~~))
$44,530,000

**Sec. 3024.** 2009 c 497 s 3133 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Washington Wildlife Recreation Grants (20084011)

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

(1) The reappropriations 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: 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.

(3) Funds reappropriated for distribution according to the provisions of RCW 79A.15.040(1)(c) must 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) Up to $627,299 of the reappropriation from the riparian protection account is provided solely for the Chehalis river surge plain natural area preserve. This amount may 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.

Reappropriation:

Farmlands Preservation Account--State . . . . . ((~~$5,300,000~~))
<u>$4,319,000</u>

Riparian Protection Account--State . . . . . $12,500,000

Habitat Conservation Account--State . . . . . $23,956,000

Outdoor Recreation Account--State . . . . . $22,994,000

Subtotal Reappropriation . . . . . ((~~$64,750,000~~))
<u>$63,769,000</u>

Prior Biennia (Expenditures) . . . . . $35,250,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$100,000,000~~))
<u>$99,019,000</u>

**Sec. 3025.** 2009 c 497 s 3138 (uncodified) is amended to read as follows:

**FOR THE RECREATION AND CONSERVATION FUNDING BOARD**

Aquatic Lands Enhancement Account (30000007)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the list of projects in LEAP capital document No. 2009-3, developed March 9, 2009.

Appropriation:

State Building Construction Account--State . . . . . ((~~$5,025,000~~))
<u>$4,025,000</u>

<u>Aquatic Lands Enhancement Account--State . . . . . $1,000,000</u>

<u>Subtotal Appropriation . . . . . $5,025,000</u>

Prior Biennia (Expenditures) . . . . . $0

Future Biennia (Projected Costs) . . . . . $20,100,000

TOTAL . . . . . $25,125,000

**Sec. 3026.** 2009 c 497 s 3157 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Voights Creek Hatchery (20081003)

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

(1) $200,000 of the amount appropriated is provided solely for the repair necessary to restore the facility for limited operations;

(2) $550,000 of the amount appropriated is provided ((~~solely~~)) for property acquisition and permitting. No later than June 1, 2010, the department shall submit to the office of financial management and the fiscal committees of the legislature construction costs that total no more than fourteen million dollars.

If the department does not acquire property, the amount provided in this subsection shall lapse; and

(3) $50,000 of the amount appropriated is provided solely for the department to participate in a work group with the Puyallup Tribe of Indians that will make recommendations no later than December 1, 2009, regarding the options for improving production from hatcheries along the Puyallup river system while reducing cost. Options to be considered include shifting production among the hatcheries, consolidation of hatcheries, and shifting responsibilities for construction, maintenance and operations of hatcheries.

Reappropriation:

State Building Construction Account--State . . . . . $150,000

Appropriation:

State Building Construction Account--State . . . . . $800,000

Prior Biennia (Expenditures) . . . . . $355,000

Future Biennia (Projected Costs) . . . . . $1,800,000

TOTAL . . . . . $3,105,000

**Sec. 3027.** 2009 c 497 s 3168 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Mitigation Projects and Dedicated Funding (20082048)

((~~The reappropriation in this section is subject to the following conditions and limitations:~~)) (1) The reappropriation and the appropriation in this section are provided contingent upon the department providing advance notice to the appropriate fiscal committees of the legislature and the office of financial management before applying for federal grants for acquisition of fish and wildlife

habitat lands. The department shall submit this information in the form of a report that explains the funding source, the match and use requirements, a description of the project that will be funded, and a description of future impacts to the operating budget.

(2) Up to $2,300,000 of the reappropriation is provided solely for capital projects and engineering to pay the total cost of labor and materials provided by the department of fish and wildlife.

Reappropriation:

General Fund--Federal . . . . . $9,000,000

Appropriation:

General Fund--Private/Local . . . . . $2,500,000

Game Special Wildlife Account--Federal . . . . . $600,000

Game Special Wildlife Account--Private/Local . . . . . $900,000

General Fund--Federal . . . . . ((~~$25,000,000~~))
$31,000,000

Subtotal Appropriation . . . . . ((~~$29,000,000~~))
$35,000,000

Prior Biennia (Expenditures) . . . . . $19,125,000

Future Biennia (Projected Costs) . . . . . $114,800,000

TOTAL . . . . . ((~~$171,925,000~~))
$177,925,000

**Sec. 3028.** 2009 c 497 s 3169 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works - Facility Preservation (30000149)

Appropriation:

State Building Construction Account--State . . . . . ((~~$677,000~~))
$420,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $10,000,000

TOTAL . . . . . .((~~$10,677,000~~))
$10,420,000

NEW SECTION. **Sec. 3029.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Leque Island Highway 532 Road Protection (92000019)

Appropriation:

State Building Construction Account--State . . . . . $680,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $680,000

**Sec. 3030.** 2009 c 497 s 3172 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works - Road Maintenance and Abandonment Plan (30000022)

Appropriation:

State Building Construction Account--State . . . . . ((~~$1,000,000~~)) $950,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $4,050,000

TOTAL . . . . . ((~~$5,050,000~~)) $5,000,000

**Sec. 3031.** 2009 c 497 s 3178 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works - Dam and Dike (30000145)

Appropriation:

State Building Construction Account--State . . . . . ((~~$943,000~~)) $897,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $3,780,000

TOTAL . . . . . ((~~$4,723,000~~)) $4,677,000

**Sec. 3032.** 2009 c 497 s 3182 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Minor Works - Programmatic (30000179)

Appropriation:

State Building Construction Account--State . . . . . ((~~$400,000~~)) $250,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $5,500,000

TOTAL . . . . . ((~~$5,900,000~~)) $5,750,000

NEW SECTION. **Sec. 3033.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Carpenter Creek Estuary Restoration (92000023)

The appropriation in this section is provided solely for estuary restoration in Carpenter Creek.

Appropriation:

State Building Construction Account--State . . . . . $2,784,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $2,784,000

NEW SECTION. **Sec. 3034.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Puget Sound General Investigation for Nearshore Restoration (92000025)

Appropriation:

State Toxics Control Account--State . . . . . .$1,030,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $1,030,000

NEW SECTION. **Sec. 3035.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF FISH AND WILDLIFE**

Puget Sound Flood Plain Restoration Projects (91000004)

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

(1) $185,000 of the appropriation is provided solely for the South Fork Nooksack River and tributaries restoration project.

(2) $381,000 of the appropriation is provided solely for the Nooksack Forks large woody debris placement project.

Appropriation:

State Building Construction Account--State . . . . . $566,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $566,000

**Sec. 3036.** 2009 c 497 s 3197 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Natural Resources Real Property Replacement (30000051)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for acquisition of working forest lands at risk of conversion to nonforest uses and working natural resource lands that will protect and enhance the value of trust land holdings. The legislature finds that the chronic loss of working forest lands threatens the long-term prospects of the timber products and other natural resource industries, which in turn threatens the long-term economic return for the beneficiaries of state trust lands. Acquisition of these 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, 2010, and every two years thereafter, 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 intent of the legislature to lease the development rights of these conversion lands and retain them as long-term working natural resource 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 department shall not proceed with the Ice Harbor land exchange prior to June 30, 2011.

Appropriation:

Natural Resources Real Property Replacement Account--State . . . . . $50,000,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $200,000,000

TOTAL . . . . . $250,000,000

**Sec. 3037.** 2009 c 497 s 3203 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Trust Land Transfer (30000066)

The appropriation in this section is 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 properties for lease or transfer is identified in the LEAP capital document No. 2009-2a, developed April 23, 2009.

(2) Property transferred under this section must be appraised and transferred at fair market value. The value of the timber transferred must be deposited by the department to the common school construction account in the same manner as timber revenues from other common school trust lands. No deduction may be made for the resource management cost account under RCW 79.64.040. The value of the land transferred must be deposited in the natural resources real property replacement account.

(3) Property subject to lease agreements under this section must be appraised at fair market value. Lease terms must be fifty years with options to renew for an additional fifty years. Lease payments must 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 must 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 may be made for the resource management cost account under RCW 79.64.040.

(4) 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 and shall not exceed ((~~one and nine-tenths~~)) two and six-tenths percent of the appropriation.

(5) 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.

(6) 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) 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) The department shall execute trust land transfers that, after the deduction of reasonable costs as provided in subsection (4) 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) $4,189,000 of the amount appropriated is provided solely for fifty-year leases of development rights from timber lands at risk of conversion to non-timber land uses purchased from appropriations in the 2007-2009 fiscal period.

(10) ((~~On June 30, 2011,~~)) 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 . . . . . $100,133,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $400,000,000

TOTAL . . . . . $500,133,000

NEW SECTION. **Sec. 3038.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Forest Hazard Reduction and Biomass Equipment (91000003)

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

(1) The natural resources equipment account appropriation in this section is provided solely for the purchase of forest biomass feedstock processing equipment appropriate for forest biomass-to-energy projects in eastern Washington in areas with a scarcity of primary wood processing facilities, or for making grants on a competitive basis to local governments or nonprofit entities in such local areas for purchase of such equipment. Equipment purchased, either by the department or a grantee, must be made available for lease, or other lawful means of conveyance, or be operated directly, for use in forest biomass-to-energy projects in an area of eastern Washington with a scarcity of primary wood processing facilities. In providing for the use of such equipment, consideration shall be given by the department or grantee in the opportunity for the forest biomass-to-energy project to promote forest treatments to improve forest health and/or remove

hazardous buildup of forest fuels. Consideration may also be given to generating jobs in counties with high rates of unemployment.

(2) The state building construction account--state appropriation is provided solely for forest improvement treatments on forest lands of eastern Washington with the five highest priority fire and disease hazards in Stevens, Ferry, Lincoln, Pend Oreille, Okanogan, Yakima, Kittitas, and Spokane counties. Forest treatments on private lands funded by this appropriation require an agreement with the property owner that includes a commitment to maintain the improvements to forest health.

Appropriation:

Natural Resources Equipment Account . . . . . $750,000
State Building Construction Account--State . . . . . $2,000,000
Subtotal Appropriation . . . . . $2,750,000

Prior Biennia (Expenditures) . . . . . $0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $2,750,000

NEW SECTION. **Sec. 3039.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Removal/Cleanup of Asarco Docks in Ruston/Commencement Bay (91000004)

Appropriation:

Resource Management Cost Account--State . . . . . $2,050,000

Prior Biennia (Expenditures) . . . . . $0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $2,050,000

NEW SECTION. **Sec. 3040.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Puget Sound Cleanup and Recovery (92000003)

The appropriation in this section is subject to the following conditions and limitations: $1,030,000 of the cleanup settlement account--state appropriation is provided solely for removal of contaminated pilings and habitat restoration in Commencement Bay.

These funds are provided contingent upon receiving concurrence from the department of ecology that the project is aligned with the ten year plan for cleaning up Asarco- related contamination.

Appropriation:

Cleanup Settlement Account--State . . . . . $1,030,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $1,030,000

NEW SECTION. **Sec. 3041.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Forest Riparian Easement Program (30000070)

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

(1) $600,000 of the forest and fish support account appropriation is provided contingent upon the sale of the king air by the department. The office of financial management shall allot only an amount that is equivalent to the proceeds received from the sale of the king air and no more than $600,000.

(2) If the appropriation in this section is less than the level demanded in submitted applications, the department of natural resources shall prioritize the use of the funds as follows:

(3) Highest priority shall be given to applications that include one or more of the following conditions, in the following priority order: (a) The greatest proportion of riparian buffer impacted in the related forest practices application; (b) lands in deferred tax status of classified timber land or classified open space as defined in RCW 84.34.020; (c) lands at greatest risk of conversion to other land uses as determined by county zoning and land classifications and proximity to urban growth areas or other areas of concentrated land development; (d) lands that are certified by a forest certification recognized by the department; (e) the applicant has not received a forestry riparian easement since July 1, 2007; (f) the applicant is not a nonprofit organization; (g) the applicant has been waiting three years or more for a forestry easement purchase; and (h) the application does not

include any of the conditions specified in subsection (2) of this section.

(4) The lowest priority shall be given to applications that include any of the following conditions: (a) The forest management activities for the aggregated ownership of the landowner referenced in the application, his or her spouse, and his or her children exceed the small forest landowner definition in RCW 76.13.120(2)(c); (b) the applicant has had legal ownership for less than five years, except when the applicant is a lineal descendant of a landowner meeting this condition; (c) the applicant has an outstanding violation of the forest practices act under chapter 76.09 RCW; (d) the applicant is in default on a financial obligation to an agency of the state including noncompliance with a child support order under RCW 74.20A.320; (e) the application is for land on which other conservation easements have been executed and recorded on the title; or (f) the land is owned by a nonprofit organization that does not have deferred tax designations of either classified timber land or classified open space as defined in RCW 84.34.020 and does not have a county-recognized forest management plan.

(5) The department of natural resources shall use legally binding affidavits to obtain from the applicants any supplemental information necessary to assist in prioritizing the use of the funds appropriated in this section. The department must verify the prioritized use of the funds appropriated in this section by: (a) Investigating a random subset of affidavits for easements purchased for an amount less than one hundred thousand dollars; and (b) investigating all easements purchased for an amount in excess of one hundred thousand dollars.

(6) The department shall work with interested stakeholders to develop recommendations for changes to the ongoing eligibility, prioritization, and policy provisions of the forestry riparian easement program specified in RCW 76.13.120. In developing these recommendations, the department and the interested stakeholders shall consider the inclusion of the conditions utilized in this section to establish eligibility and prioritization of funding. The department and the interested stakeholders shall submit final recommendations in the form of legislation to the office of financial management and the legislature by October 1, 2010.

Appropriation:

State Building Construction Account--State . . . . . $500,000
Forest and Fish Support Account--State . . . . . $600,000
Subtotal Appropriation . . . . . $1,100,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $1,100,000

NEW SECTION. **Sec. 3042.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF NATURAL RESOURCES**

Elk River Estuarine Lands Acquisition (91000007)

Appropriation:

General Fund--Federal . . . . . $1,000,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $1,000,000

(End of part)

## PART 4
## TRANSPORTATION

**Sec. 4001.** 2009 c 497 s 4008 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION**

Commute Trip Reduction for Thurston County State Agencies (92000001)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for implementation of chapter 427, Laws of 2009 (Substitute Senate Bill No. 6088 (commute trip reduction)).

Appropriation:

State Vehicle Parking Account--State . . . . . ((~~$734,000~~)) $650,000

Prior Biennia (Expenditures) . . . . . $0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$734,000~~)) $650,000

NEW SECTION. **Sec. 4002.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION**

Freight Mobility Study - SR 12 & Schouweiler Road (91000001)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the department of transportation to conduct a study on improving freight mobility on state route no. 12 in the vicinity of Elma. The study shall include a review of possible improvements to freight mobility at Schouweiler Road.

Appropriation:

State Building Construction Account--State . . . . . $500,000

Prior Biennia (Expenditures) . . . . . $0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $500,000

NEW SECTION. **Sec. 4003.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE WASHINGTON STATE PATROL**

High Speed Driving Simulators (92000001)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the purchase of two mobile high speed driving simulators. The Washington state patrol must assist in the purchase of the simulators and vehicles for transporting the simulators, and transfer ownership of the simulators and vehicles to the appropriate agency after consultation with stakeholders. The Washington state patrol must train the trainers on the use of the simulators. The simulators are intended to move among local police and sheriff departments in order to reduce the risks to officers and the public from high speed pursuits.

Appropriation:

State Building Construction Account--State . . . . . $600,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $600,000

(End of part)

## PART 5
## EDUCATION

**Sec. 5001.** 2009 c 497 s 5007 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Vocational Skills Centers (20084300)

Reappropriation:

State Building Construction Account--State . . . . ((~~$58,546,000~~)) $55,546,000

Prior Biennia (Expenditures) . . . . . $15,161,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . .((~~$73,707,000~~)) $70,707,000

**Sec. 5002.** 2009 c 497 s 5008 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Northeast King County Skills Center (20084855)

Appropriation:

School Construction/Skills Center Building Account--State . . . . . ((~~$9,049,000~~)) $8,052,000

Prior Biennia (Expenditures) . . . . . $550,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$9,599,000~~)) $8,602,000

**Sec. 5003.** 2009 c 497 s 5009 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

North Central Technical Skills Center (20084861)

Appropriation:

School Construction/Skills Center Building Account--State . . . . . ((~~$4,007,000~~))

$3,960,000

Prior Biennia (Expenditures) . . . . . $50,000
Future Biennia (Projected Costs) . . . . . $18,500,000
TOTAL . . . . . .((~~$22,557,000~~))
$22,510,000

**Sec. 5004.** 2009 c 497 s 5002 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

School Construction Assistance Grants (20084200)

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

For school construction projects funded through the school construction assistance grant program, the superintendent of public instruction shall require mapping the design of new facilities and remapping the design of facilities to be remodeled.

Reappropriation:

Common School Construction Account--State . . . . . $176,922,000

Appropriation:

State Building Construction Account--State . . . . . $137,267,000

Prior Biennia (Expenditures) . . . . . $477,570,000
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $791,759,000

**Sec. 5005.** 2009 c 497 s 5013 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

Vocational Skills Center Minor Capital Projects (30000002)

Appropriation:

School Construction and Skill Centers Building
Account--State . . . . . ((~~$3,694,000~~))
$3,594,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . ((~~$3,694,000~~))
$3,594,000

**Sec. 5006.** 2009 c 497 s 5014 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

2009-11 School Construction Assistance Grant Program (30000031)

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

(1) ((~~The office of the superintendent of public instruction shall develop a tracking system to increase accuracy in predicting the timing of school district claims for reimbursement for school construction assistance grants. The office of the superintendent of public instruction shall also improve its communication with school districts regarding the status of grant projects and create requirements regarding the timing of reimbursement claims. The office of the superintendent of public instruction shall submit a report on the progress of the new tracking and communication system to the appropriate committees of the legislature by November 15, 2009. The report must include a list of school district capital projects receiving state funding and each project's anticipated final reimbursement date.~~

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

(2) For school construction projects funded through the school construction assistance grant program, the superintendent of public instruction shall require mapping the design of new facilities and remapping the design of facilities to be remodeled.

(3) Up to $17,000,000 of the state building construction account--state appropriation in this section is for the Grand Coulee Dam school district school project, contingent on the availability of sufficient contributions from federal, local, or private sources to make up the remainder of the total cost of the project. The Grand Coulee Dam school district is faced with a unique set of local funding barriers and federal funds may substitute as the usual requirement for school district participation. In the event sufficient matching contributions are not secured, these funds shall lapse.

(4) $250,000 of the common school construction account--state appropriation is provided solely for the office of the superintendent of public instruction to develop a K-12 facility inventory and

condition system based on option number 3, described in the joint legislative audit and review committee's January 2010 report, "K-12 Pilot Facility Inventory, Condition and Use System" as providing semi-customized information capabilities with complete state data. The office of the superintendent of public instruction must require school districts to submit any energy audits completed for K-12 public school buildings to be incorporated in the inventory system. It is the legislature's intent to improve the availability of information regarding the local use of state funds provided for school maintenance. Although school facilities are constructed by, and the property of, local jurisdictions, the legislature encourages school districts to invest in activities that extend the useful life of school district facilities. The state's general taxpayers have an interest in information regarding these local decisions since state policy has been to contribute funds in the biennial omnibus operating budget for facilities' maintenance and to contribute capital budget funds to eligible districts for renovation and replacement of buildings. In light of 2010 legislation enacting changes to RCW 28A.150.260 that increase state funding for school maintenance from $73.27 per annual average full-time equivalent K-12 student to $153.18 per student by the 2015-16 school year, with annual adjustments for inflation thereafter, it is the legislature's intent to facilitate development of an information system that will provide better data regarding school districts' use of any state funds provided to assist with maintenance and to monitor facilities' conditions.

Appropriation:

State Building Construction Account--State . . . . ((~~$369,920,000~~))
$259,000,000

Common School Construction Account--State . . . . ((~~$259,029,000~~))
$200,826,000

Common School Construction Account--Federal . . . . ((~~$2,500,000~~))
$1,700,000

School Construction and Skill Centers Building
Account--Bond--State . . . . . ((~~$58,284,000~~))
$59,428,000

Subtotal Appropriation . . . . . ((~~$689,733,000~~))
$520,954,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $3,921,000,000
TOTAL . . . . . ((~~$4,610,733,000~~))
$4,441,954,000

**Sec. 5007.** 2009 c 497 s 5011 (uncodified) is amended to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

((~~Health, Safety,~~)) Energy Efficiency and Small Repair Grants (91000007)

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

(1) Up to $3,000,000 of the appropriation is provided solely for nonrecurring costs associated with school facility repairs and renovations necessary for health and safety. The office of the superintendent of public instruction, after consulting with maintenance and operations administrators of school districts, shall develop criteria for providing funding for specific projects to stay within the appropriation level provided in this section. The criteria must include, but are not limited to, the following: (a) Limiting recipient district applications to one hundred thousand dollars per three-year period; (b) limiting districts eligible to receive the grant only once in any three-year period; and (c) requiring any district receiving funding provided in this section to demonstrate a consistent commitment to addressing school facilities needs.

(2) ((~~The~~)) $50,000,000 of the new appropriation is provided solely for energy operational cost savings ((~~and safety and health infrastructure~~)) improvements to school facilities ((~~initiated after July 1, 2009~~)). The appropriation must be distributed using the performance-based contracting method of delivering energy operational cost savings ((~~and safety and health infrastructure~~)) improvements to public facilities((~~, unless the minimal cost or the immediacy of the project makes performance-based contracting impracticable. If the minimal cost or immediacy of the project makes performance-based contracting impracticable, the school district must receive a waiver from the office of the superintendent of public instruction in order to use the appropriation to address safety and health needs~~)).

(3) The superintendent of public instruction must report to the

appropriate committees of the legislature and the office of financial management on the timing and use of the funds by the end of each fiscal year, until the funds are fully expended.

(4) $100,000 of the appropriation is provided solely to the Monroe public schools for retrofitting the Frank Wagner Elementary chimney.

Appropriation:

State Building Construction Account--State . . . . ((~~$20,000,000~~)) $70,000,000

Prior Biennia (Expenditures) . . . . . $0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$20,000,000~~)) $70,000,000

NEW SECTION. **Sec. 5008.** A new section is added to 2009 c 497 (uncodified) to read as follows:

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

Lloyd Auditorium Emergency Repairs (30000012)

Appropriation:

State Building Construction Account--State . . . . . $2,500,000

Prior Biennia (Expenditures) . . . . . $0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $2,500,000

**Sec. 5009.** 2009 c 497 s 5027 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

Balmer Hall Reconstruction (20081004)

The reappropriation in this section is subject to the following conditions and limitations: For construction of the facility identified in this section, the university is authorized to issue a bond or bonds financed from building fee and trust land revenue deposited into the university bond retirement account in accordance with RCW 28B.20.700 through 28B.20.740, provided that: (1) The total amount of debt to be serviced from the building account shall not exceed $42,800,000; (2) if bonds for the project are issued as build America bonds, federal refunds on the bond interest cost shall be

deposited into the University of Washington building account proportional to this project's share of the total bond issuance; and (3) for the portion of the project that is serviced by building fee and trust land revenues, the university shall select the financing method that results in the lowest cost to the University of Washington building account.

Reappropriation:

State Building Construction Account--State . . . . . $3,000,000

Prior Biennia (Expenditures) . . . . . $1,000,000

Future Biennia (Projected Costs) . . . . . ((~~$38,600,000~~))
$0

TOTAL . . . . . ((~~$42,600,000~~))
$4,000,000

**Sec. 5010.** 2009 c 497 s 5029 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

Interdisciplinary Academic Building (20082003)

The reappropriation in this section is subject to the following conditions and limitations: In conjunction with the reappropriation in this section, the University of Washington is authorized to issue a bond or bonds in an amount not to exceed $53,554,000 in value for construction of the molecular engineering building identified in this section. The bond shall be financed from building fee and trust land revenues deposited into the university's bond retirement account, in accordance with RCW 28B.20.700 through 28B.20.740, provided that: (1) If bonds for the project are issued as build America bonds, federal refunds on the bond interest cost shall be deposited into the University of Washington building account proportional to this project's share of the total bond issuance; and (2) for the portion of the project that is serviced by building fee and trust land revenues, the university shall select the financing method that results in the lowest cost to the University of Washington building account.

Reappropriation:

State Building Construction Account--State . . . . . $1,000,000

Prior Biennia (Expenditures) . . . . . $4,000,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $5,000,000

**Sec. 5011.** 2009 c 497 s 5024 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

Clark Hall Renovation (20061007)

Reappropriation:

Education Construction Account--State . . . . . ((~~$2,000,000~~)) <u>$967,000</u>

<u>Appropriation:</u>

<u>State Building Construction Account--State . . . . . $183,000</u>

Prior Biennia (Expenditures) . . . . . $16,054,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$18,054,000~~)) <u>$17,204,000</u>

**Sec. 5012.** 2009 c 497 s 5023 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

Savery Hall Renovation (20061005)

Reappropriation:

Gardner-Evans Higher Education Construction Account--State . . . . . ((~~$11,000,000~~)) <u>$10,822,000</u>

Prior Biennia (Expenditures) . . . . . $50,510,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$61,510,000~~)) <u>$61,332,000</u>

**Sec. 5013.** 2009 c 497 s 5026 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

Denny Hall Renovation (20081002)

Reappropriation:

State Building Construction Account--State . . . . . ((~~$1,700,000~~)) <u>$0</u>

Prior Biennia (Expenditures) . . . . . $3,200,000
Future Biennia (Projected Costs) . . . . . ((~~$47,992,000~~))
$49,692,000
TOTAL . . . . . ((~~$53,692,000~~))
$52,892,000

**Sec. 5014.** 2009 c 497 s 5028 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

Intermediate Student Service and Classroom Improvements (20081005)

Reappropriation:
Education Construction Account--State . . . . . ((~~$7,245,000~~))
$311,000

Appropriation:
State Building Construction Account--State . . . . . $6,934,000

Prior Biennia (Expenditures) . . . . . $6,036,000
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $13,281,000

**Sec. 5015.** 2009 c 497 s 5037 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

Lewis Hall Renovation (20081003)

Reappropriation:
State Building Construction Account--State . . . . . ((~~$1,000,000~~))
$478,000

Prior Biennia (Expenditures) . . . . . $1,000,000
Future Biennia (Projected Costs) . . . . . $23,585,000
TOTAL . . . . . ((~~$25,585,000~~))
$25,063,000

**Sec. 5016.** 2009 c 497 s 5030 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

UW Tacoma (20082005)

The appropriations in this section are subject to the following conditions and limitations: For construction of the facility

identified in this section, the university is authorized to issue a bond or bonds financed from building fee and trust land revenue deposited into the university bond retirement account in accordance with RCW 28B.20.700 through 28B.20.740, provided that: (1) The total amount of debt to be serviced for this project from the building account shall not exceed $7,450,000; (2) if bonds for all or a portion of the project are issued as build America bonds, federal refunds on the bond interest cost shall be deposited into the University of Washington building account proportional to this project's share of the total bond issuance; and (3) for the portion of the project that is serviced by building fee and trust land revenues, the university shall select the financing method that results in the lowest cost to the University of Washington building account.

Reappropriation:

State Building Construction Account--State . . . . . $4,000,000

Appropriation:

State Building Construction Account--State . . . . ((~~$34,000,000~~)) $16,768,000

University of Washington Building Account--State . . . $14,007,000

Subtotal Appropriation . . . . . $30,775,000

Prior Biennia (Expenditures) . . . . . $2,150,000

Future Biennia (Projected Costs) . . . . . ((~~$17,044,000~~)) $0

TOTAL . . . . . ((~~$57,194,000~~)) $36,925,000

**Sec. 5017.** 2009 c 497 s 5041 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

Preventative Facility Maintenance and Building System Repairs (30000287)

Appropriation:

University of Washington Building Account--State . . . . . ((~~$25,825,000~~)) $20,741,000

Prior Biennia (Expenditures) . . . . . $0

Future Biennia (Projected Costs) . . . . . $103,300,000

TOTAL . . . . . ((~~$129,125,000~~))
$124,041,000

**Sec. 5018.** 2009 c 497 s 5035 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

UW Tacoma - Land Acquisition (20092003)

((~~Reappropriation:~~
~~Education Construction Account--State . . . . . .$469,000~~))

Appropriation:
University of Washington Building Account--State . . . . $2,469,000

Prior Biennia (Expenditures) . . . . . $1,531,000
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . ((~~$2,000,000~~))
$4,000,000

**Sec. 5019.** 2009 c 497 s 5039 (uncodified) is amended to read as follows:

**FOR THE UNIVERSITY OF WASHINGTON**

Minor Works - Facility Preservation (30000027)

Appropriation:
State Building Construction Account--State . . . . ((~~$26,000,000~~))
$19,135,000
University of Washington Building
Account--State . . . . . .((~~$8,175,000~~))
$15,040,000
Subtotal Appropriation . . . . . $34,175,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $146,000,000
TOTAL . . . . . $180,175,000

**Sec. 5020.** 2009 c 497 s 5055 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE UNIVERSITY**

Minor Works - Preservation (30000065)

Appropriation:
State Building Construction Account--State . . . . ((~~$16,128,000~~))

$23,903,000

Washington State University Building Account--

State . . . . . ((~~$10,000,000~~))

$2,225,000

Subtotal Appropriation . . . . . $26,128,000

Prior Biennia (Expenditures) . . . . . $0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $26,128,000

**Sec. 5021.** 2009 c 497 s 5047 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE UNIVERSITY**

WSU Vancouver - Applied Technology and Classroom Building (20062950)

In conjunction with the appropriation in this section, Washington State University is authorized to issue a bond or bonds in an amount not to exceed $10,000,000 in value for construction of the facility identified in this section. The bond must be financed from building fee and trust land revenues deposited into the university's bond retirement account in accordance with RCW 28B.30.700 through 28B.30.780.

Reappropriation:

State Building Construction Account--State . . . . . $1,500,000

Appropriation:

State Building Construction Account--State . . . . ((~~$26,742,000~~))

$23,593,000

Prior Biennia (Expenditures) . . . . . $3,420,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$31,662,000~~))

$28,513,000

**Sec. 5022.** 2009 c 497 s 5054 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE UNIVERSITY**

WSU Spokane - Riverpoint Biomedical & Health Sciences (20162953)

Appropriation:

State Building Construction Account--State . . . . . ((~~$4,340,000~~))

$7,840,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . ((~~$39,775,000~~))
$70,775,000
TOTAL . . . . . ((~~$44,115,000~~))
$78,615,000

**Sec. 5023.** 2009 c 497 s 5056 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE UNIVERSITY**

Minor Works - Program (30000066)

Appropriation:
State Building Construction Account--State . . . . . ((~~$7,042,000~~))
$17,527,000
((~~Washington State University Building Account--~~
~~State . . . . . $10,485,000~~
~~Subtotal Appropriation . . . . . $17,527,000~~))

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $3,073,000
TOTAL . . . . . .$20,600,000

**Sec. 5024.** 2009 c 497 s 5057 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE UNIVERSITY**

Preventative Facility Maintenance and Building System Repairs (30000287)

Appropriation:
Washington State University Building Account--
State . . . . . ((~~$10,115,000~~))
$28,375,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $40,460,000
TOTAL . . . . . ((~~$50,575,000~~))
$68,835,000

**Sec. 5025.** 2009 c 497 s 5064 (uncodified) is amended to read as follows:

**FOR THE EASTERN WASHINGTON UNIVERSITY**

Patterson Hall Remodel (20062002)

Reappropriation:

State Building Construction Account--State . . . . . $400,000

Appropriation:

State Building Construction Account--State . . . . ((~~$26,600,000~~)) $24,170,000

Prior Biennia (Expenditures) . . . . . $1,734,000

Future Biennia (Projected Costs) . . . . . $34,416,000

TOTAL . . . . . .((~~$63,150,000~~)) $60,720,000

**Sec. 5026.** 2009 c 497 s 5061 (uncodified) is amended to read as follows:

**FOR THE EASTERN WASHINGTON UNIVERSITY**

Minor Works - Health, Safety, and Code Requirements (20081002)

Reappropriation:

Education Construction Account--State . . . . . ((~~$1,500,000~~)) $157,000

Appropriation:

State Building Construction Account--State . . . . . $1,343,000

Prior Biennia (Expenditures) . . . . . $2,500,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $4,000,000

**Sec. 5027.** 2009 c 497 s 5065 (uncodified) is amended to read as follows:

**FOR THE EASTERN WASHINGTON UNIVERSITY**

Preventive Maintenance and Building System Repairs (30000044)

Appropriation:

Eastern Washington University Capital Projects Account--State . . . . . ((~~$2,217,000~~)) $4,409,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $8,868,000

TOTAL . . . . . .((~~$11,085,000~~))

$13,277,000

**Sec. 5028.** 2009 c 497 s 5068 (uncodified) is amended to read as follows:

**FOR THE EASTERN WASHINGTON UNIVERSITY**

Minor Works - Facility Preservation (30000054)

Appropriation:

State Building Construction Account--State . . . . . ((~~$3,000,000~~)) $1,375,000

Eastern Washington University Capital Projects Account--State . . . . . $1,625,000

Subtotal Appropriation . . . . . $3,000,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . .$12,000,000

TOTAL . . . . . .$15,000,000

**Sec. 5029.** 2009 c 497 s 5079 (uncodified) is amended to read as follows:

**FOR THE CENTRAL WASHINGTON UNIVERSITY**

Minor Works - Infrastructure Preservation (30000009)

Appropriation:

State Building Construction Account--State . . . . . ((~~$690,000~~)) $601,000

Central Washington University Capital Projects Account--State . . . . . ((~~$2,050,000~~)) $2,139,000

Subtotal Appropriation . . . . . $2,740,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . .$12,000,000

TOTAL . . . . . .$14,740,000

**Sec. 5030.** 2009 c 497 s 5080 (uncodified) is amended to read as follows:

**FOR THE CENTRAL WASHINGTON UNIVERSITY**

Minor Works - Facility Preservation (30000016)

Appropriation:

((~~State Building Construction Account--State~~))

Central Washington University Capital Projects Account--State . . . . . $2,610,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $12,000,000
TOTAL . . . . . $14,610,000

**Sec. 5031.** 2009 c 497 s 5083 (uncodified) is amended to read as follows:

**FOR THE CENTRAL WASHINGTON UNIVERSITY**

Preventative Facility Maintenance and Building System Repairs (30000287)

Appropriation:

Central Washington University Capital Project Account--State . . . . . ((~~$2,422,000~~)) $4,407,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $9,688,000
TOTAL . . . . . .((~~$12,110,000~~)) $14,095,000

**Sec. 5032.** 2009 c 497 s 5092 (uncodified) is amended to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

Minor Works - Preservation (30000003)

Appropriation:

State Building Construction Account--State . . . . . ((~~$760,000~~)) $4,007,000

The Evergreen State College Capital Projects Account--State . . . . . ((~~$3,765,000~~)) $518,000

Subtotal Appropriation . . . . . $4,525,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . $4,525,000

**Sec. 5033.** 2009 c 497 s 5094 (uncodified) is amended to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

Laboratory and Art Annex Building Renovation (30000026)

Appropriation:

((~~State Building Construction Account--State~~)) The Evergreen State College Capital Projects Account--State . . . . . $4,849,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $4,849,000

**Sec. 5034.** 2009 c 497 s 5093 (uncodified) is amended to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

Minor Works - Health, Safety, Code Compliance (30000016)

Appropriation:

State Building Construction Account--State . . . . . ((~~$2,515,000~~)) $1,953,000

The Evergreen State College Capital Projects Account--State . . . . . .$562,000

Subtotal Appropriation . . . . . $2,515,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $2,515,000

**Sec. 5035.** 2009 c 497 s 5097 (uncodified) is amended to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

Preventative Facility Maintenance and Building System Repairs (30000287)

Appropriation:

The Evergreen State College Capital Projects Account--State . . . . . ((~~$760,000~~)) $4,007,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$760,000~~))

$4,007,000

NEW SECTION. **Sec. 5036.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE EVERGREEN STATE COLLEGE**

Feasibility Study of Biomass Gasification Project (92000007)

Appropriation:

State Building Construction Account--State . . . . . $125,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $125,000

**Sec. 5037.** 2009 c 497 s 5104 (uncodified) is amended to read as follows:

**FOR THE WESTERN WASHINGTON UNIVERSITY**

Minor Works - Program (20082093)

Reappropriation:

State Building Construction Account--State . . . . . $1,500,000

Western Washington University Capital Projects

Account--State . . . . . ((~~$2,500,000~~))

$587,000

Subtotal Reappropriation . . . . . ((~~$4,000,000~~))

$2,087,000

Appropriation:

State Building Construction Account--State . . . . . $1,913,000

Prior Biennia (Expenditures) . . . . . $6,000,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . .$10,000,000

**Sec. 5038.** 2009 c 497 s 5100 (uncodified) is amended to read as follows:

**FOR THE WESTERN WASHINGTON UNIVERSITY**

Miller Hall Renovation (20041953)

Reappropriation:

State Building Construction Account--State . . . . . $2,000,000

Appropriation:

State Building Construction Account--State . . . . ((~~$54,625,000~~))
$45,744,000

Prior Biennia (Expenditures) . . . . . $3,773,000
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . .((~~$60,398,000~~))
$51,517,000

**Sec. 5039.** 2009 c 497 s 5111 (uncodified) is amended to read as follows:

**FOR THE WESTERN WASHINGTON UNIVERSITY**

Preventative Facility Maintenance and Building System Repairs (30000287)

Appropriation:
Western Washington University Capital Projects
Account--State . . . . . ((~~$3,614,000~~))
$5,814,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . .$14,456,000
TOTAL . . . . . .((~~$18,070,000~~))
$20,270,000

NEW SECTION. **Sec. 5040.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Vancouver National Historic Reserve West Barracks (91000002)

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

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

(2)(a) The Washington state historical society shall include provisions in the contract under this section that require that: (i) Capital improvements be held by the grantee for a specified period of time that is appropriate to the amount of the grant; and (ii) the facility be used to provide a public benefit.

(b) 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 . . . . . $1,000,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $1,000,000

NEW SECTION. **Sec. 5041.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Vancouver National Historic Reserve Visitors Center (91000001)

Appropriation:

State Building Construction Account . . . . . .$750,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $750,000

**Sec. 5042.** 2009 c 497 s 5115 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Washington Heritage Projects (20044004)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is adjusted for the termination of the Bigelow House preservation association project which is no longer viable.

Reappropriation:

State Building Construction Account--State . . . . . ((~~$690,000~~))
$657,000

Prior Biennia (Expenditures) . . . . . $3,310,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$4,000,000~~))
$3,967,000

**Sec. 5043.** 2009 c 497 s 5116 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Statewide - Washington Heritage Project Grants (20064004)

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

(1) The reappropriation is subject to the provisions of section ((~~733~~)) 212, chapter ((~~488~~)) 371, Laws of ((~~2005~~)) 2006.

(2) The reappropriation is adjusted for the termination of the Village Theatre project which is no longer viable.

Reappropriation:

State Building Construction Account--State . . . . . ((~~$1,318,000~~)) $1,253,000

Prior Biennia (Expenditures) . . . . . $3,346,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$4,664,000~~)) $4,599,000

**Sec. 5044.** 2009 c 497 s 5118 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Washington Heritage Grants (20074004)

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

(1) The reappropriation is subject to the project list in section 5137, chapter 520, Laws of 2007.

(2) The reappropriation is adjusted for the termination of the Martin Luther King Ballet project which is no longer viable.

(3) The reappropriation for the historic Seattle PDA project is transferred to the Center for Wooden Boats.

Reappropriation:

State Building Construction Account--State . . . . . ((~~$7,630,000~~)) $7,580,000

Prior Biennia (Expenditures) . . . . . $2,370,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . .((~~$10,000,000~~))

$9,950,000

**Sec. 5045.** 2009 c 497 s 5120 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE HISTORICAL SOCIETY**

Washington Heritage Project Capital Grants (30000011)

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

(1) The appropriation is subject to the provisions of RCW 27.34.330.

(2) The appropriation is provided solely for the following list of projects.

(3) The 2011-13 projects must be selected based on their readiness to proceed.

| Project | Recommended |
|---|---|
| Wenatchee Valley Museum | $150,000 |
| West Point Light Station | $300,000 |
| Des Moines Field House | $420,000 |
| Washington Hall | $381,000 |
| Percival Landing | $567,000 |
| Roslyn City Hall & Library | $194,000 |
| ((~~Spokane County courthouse~~ | ~~$500,000~~)) |
| Snoqualmie Chapel car #5 | $125,000 |
| Edmonds Carnegie Library museum | $48,000 |
| Ilwaco museum collections | $41,000 |
| Minkler Mansion | $200,000 |
| Cheney house for a museum | $87,000 |
| Longview Columbia theatre | $1,000,000 |
| Chinook School | $350,000 |
| Territorial Courthouse of 1858 | $167,000 |
| Hanford Interpretive Center | $147,000 |
| Carnegie Library Museum | $883,000 |
| Dynamite Train Canopy | $50,000 |
| King Street Station | $750,000 |

| | |
|---|---|
| Lakewood Carriage House | $110,000 |
| Lincoln School | $175,000 |
| Quincy Pioneer Church | $195,000 |
| Ezra Meeker Mansion | $100,000 |
| Port Townsend Storage Facility | $450,000 |
| Puyallup Church Spire | $17,000 |
| Morris House and Washington Harbor School | $27,000 |
| Kalama Interpretive Center | $212,000 |
| Foss Waterway Seaport Building | $750,000 |
| Pioneer State Bank Building | $201,000 |
| Kirkman House | $32,000 |
| Malo Sawmill | $70,000 |
| Stimson-Green Mansion | $23,000 |
| Lightship #83 | $335,000 |
| Masonic Temple Building | $350,000 |
| Wilkeson Centennial Monument | $10,000 |
| Eddon Boatyard ways and dock | $243,000 |
| Commencement Restoration | $86,000 |
| Vessel Shenandoah | $179,000 |
| ((~~Walt's Mill~~ | ~~$75,000~~)) |
| TOTAL | ((~~$10,000,000~~)) |
| | $9,425,000 |

Appropriation:

State Building Construction Account--State . . . . ((~~$10,000,000~~))
$9,425,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $40,000,000

TOTAL . . . . . .((~~$50,000,000~~))
$49,425,000

**Sec. 5046.** 2009 c 497 s 5174 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Seattle Central Community College: Wood Construction Center (20081216)

Reappropriation:

State Building Construction Account--State . . . . . $2,000,000

Appropriation:

State Building Construction Account--State . . . . ((~~$24,645,000~~)) $19,760,000

Prior Biennia (Expenditures) . . . . . $549,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . .((~~$27,194,000~~)) $22,309,000

**Sec. 5047.** 2009 c 497 s 5176 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Peninsula College: Business and Humanities Center (20081218)

Reappropriation:

State Building Construction Account--State . . . . . $1,200,000

Appropriation:

State Building Construction Account--State . . . . ((~~$33,627,000~~)) $29,644,000

Prior Biennia (Expenditures) . . . . . $1,100,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . .((~~$35,927,000~~)) $31,944,000

**Sec. 5048.** 2009 c 497 s 5127 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Tacoma Community College - Science Building (20012687)

Reappropriation:

State Building Construction Account--State . . . . . ((~~$1,773,000~~)) $855,000

Prior Biennia (Expenditures) . . . . . $30,123,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . .((~~$31,896,000~~))
$30,978,000

**Sec. 5049.** 2009 c 497 s 5180 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Green River Community College - Trades and Industry Building (20081222)

Reappropriation:

State Building Construction Account--State . . . . . .$11,000

Appropriation:

State Building Construction Account--State . . . . . ((~~$2,625,000~~))
$1,707,000

Prior Biennia (Expenditures) . . . . . $127,000

Future Biennia (Projected Costs) . . . . . .((~~$28,737,000~~))
$29,655,000

TOTAL . . . . . .$31,500,000

**Sec. 5050.** 2009 c 497 s 5171 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Minor Works - Facility Preservation - Roof Repairs (20081010)

Reappropriation:

Education Construction Account--State . . . . . ((~~$2,500,000~~))
$392,000

State Building Construction Account--State . . . . . $1,000,000

Subtotal Reappropriation . . . . . ((~~$3,500,000~~))
$1,392,000

Appropriation:

State Building Construction Account--State . . . . . $2,108,000

Prior Biennia (Expenditures) . . . . . $4,176,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $7,676,000

**Sec. 5051.** 2009 c 497 s 5182 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Skagit Valley College - Academic and Student Services Building (20081224)

Reappropriation:

State Building Construction Account--State . . . . . .$35,000

Appropriation:

State Building Construction Account--State . . . . . ((~~$2,116,000~~)) <u>$1,730,000</u>

Prior Biennia (Expenditures) . . . . . $101,000

Future Biennia (Projected Costs) . . . . . .((~~$28,949,000~~)) <u>$29,335,000</u>

TOTAL . . . . . .$31,201,000

**Sec. 5052.** 2009 c 497 s 5210 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Roof Repairs "A" (30000010)

Appropriation:

State Building Construction Account--State . . . . . ((~~$8,493,000~~)) <u>$2,627,000</u>

<u>Community/Technical College Capital Projects Account--State . . . . . $6,854,000</u>

<u>Subtotal Appropriation . . . . . $9,481,000</u>

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . .((~~$24,000,000~~)) <u>$42,000,000</u>

TOTAL . . . . . .((~~$32,493,000~~)) <u>$51,481,000</u>

**Sec. 5053.** 2009 c 497 s 5183 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Lower Columbia College - Health and Science Building (20081225)

Appropriation:

State Building Construction Account--State . . . . . ((~~$2,969,000~~)) <u>$2,187,000</u>

Prior Biennia (Expenditures) . . . . . $2,500,000
Future Biennia (Projected Costs) . . . . . ((~~$36,405,000~~))
<u>$37,187,000</u>
TOTAL . . . . . $41,874,000

**Sec. 5054.** 2009 c 497 s 5184 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Grays Harbor College - Science and Math Building (20081226)

Reappropriation:
State Building Construction Account--State . . . . . $45,000
Appropriation:
State Building Construction Account--State . . . . . ((~~$3,583,000~~))
<u>$2,292,000</u>

Prior Biennia (Expenditures) . . . . . $231,000
Future Biennia (Projected Costs) . . . . . ((~~$40,478,000~~))
<u>$41,769,000</u>
TOTAL . . . . . $44,337,000

**Sec. 5055.** 2009 c 497 s 5217 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Seattle Central Community College - Seattle Maritime Academy (30000120)

Appropriation:
State Building Construction Account--State . . . . . ((~~$2,839,000~~))
<u>$1,337,000</u>

Prior Biennia (Expenditures) . . . . . $0
Future Biennia (Projected Costs) . . . . . ((~~$15,483,000~~))
<u>$16,985,000</u>
TOTAL . . . . . $18,322,000

**Sec. 5056.** 2009 c 497 s 5218 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Yakima Valley Community College - Palmer Martin Building (30000121)

Appropriation:

State Building Construction Account--State . . . . . ((~~$1,464,000~~))
$997,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . ((~~$13,509,000~~))
$13,976,000
TOTAL . . . . . $14,973,000

**Sec. 5057.** 2009 c 497 s 5219 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

North Seattle Community College - Technology Building Renewal (30000129)

Appropriation:
State Building Construction Account--State . . . . . ((~~$2,976,000~~))
$2,084,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . ((~~$22,337,000~~))
$23,229,000
TOTAL . . . . . $25,313,000

**Sec. 5058.** 2009 c 497 s 5220 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Green River Community College - Science Math and Technology Building (30000130)

Appropriation:
State Building Construction Account--State . . . . . ((~~$1,700,000~~))
$1,315,000

Prior Biennia (Expenditures) . . . . . .$0
Future Biennia (Projected Costs) . . . . . ((~~$15,545,000~~))
$15,930,000
TOTAL . . . . . $17,245,000

**Sec. 5059.** 2009 c 497 s 5204 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Tacoma Community College - Health Careers Center (20082701)

Reappropriation:

State Building Construction Account--State . . . . . .$15,000

Appropriation:

State Building Construction Account--State . . . . . ((~~$2,946,000~~))
$1,811,000

Prior Biennia (Expenditures) . . . . . $240,000

Future Biennia (Projected Costs) . . . . . ((~~$35,565,000~~))
$36,700,000

TOTAL . . . . . .$38,766,000

**Sec. 5060.** 2009 c 497 s 5205 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Bellevue Community College - Health Science Building (20082702)

Appropriation:

State Building Construction Account--State . . . . . ((~~$4,350,000~~))
$2,910,000

Prior Biennia (Expenditures) . . . . . $144,000

Future Biennia (Projected Costs) . . . . . ((~~$36,506,000~~))
$37,946,000

TOTAL . . . . . .$41,000,000

**Sec. 5061.** 2009 c 497 s 5206 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Bates Technical College - Mohler Communications Technology Center (20082703)

Reappropriation:

State Building Construction Account--State . . . . . .$20,000

Appropriation:

State Building Construction Account--State . . . . . ((~~$1,755,000~~))
$1,192,000

Prior Biennia (Expenditures) . . . . . $153,000

Future Biennia (Projected Costs) . . . . . ((~~$23,398,000~~))
$23,961,000

TOTAL . . . . . .$25,326,000

**Sec. 5062.** 2009 c 497 s 5208 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Clark College - Health and Advanced Technologies Building (20082705)

Reappropriation:

State Building Construction Account--State . . . . . .$14,000

Appropriation:

State Building Construction Account--State . . . . . ((~~$2,506,000~~)) $2,324,000

Prior Biennia (Expenditures) . . . . . $236,000

Future Biennia (Projected Costs) . . . . . ((~~$33,598,000~~)) $33,780,000

TOTAL . . . . . .$36,354,000

**Sec. 5063.** 2009 c 497 s 5165 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Lake Washington Technical College - Allied Health Building (20062697)

Reappropriation:

State Building Construction Account--State . . . . . $900,000

Appropriation:

State Building Construction Account--State . . . . ((~~$25,986,000~~)) $23,876,000

Prior Biennia (Expenditures) . . . . . $1,029,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . .((~~$27,915,000~~)) $25,805,000

**Sec. 5064.** 2009 c 497 s 5177 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Spokane Falls Community College - Chemistry and Life Science Building (20081219)

Reappropriation:

State Building Construction Account--State . . . . . $1,200,000

Appropriation:

State Building Construction Account--State . . . . ((~~$27,800,000~~)) $21,007,000

Prior Biennia (Expenditures) . . . . . $1,320,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . .((~~$30,320,000~~)) $23,527,000

**Sec. 5065.** 2009 c 497 s 5178 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Spokane Community College - Technical Education Building (20081220)

Reappropriation:

State Building Construction Account--State . . . . . $1,600,000

Appropriation:

State Building Construction Account--State . . . . ((~~$30,718,000~~)) $24,037,000

Prior Biennia (Expenditures) . . . . . $793,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . .((~~$33,111,000~~)) $26,430,000

**Sec. 5066.** 2009 c 497 s 5191 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Spokane Falls Community College - Music Building 15 Renovation (20081320)

Reappropriation:

State Building Construction Account--State . . . . . $475,000

Appropriation:

State Building Construction Account--State . . . . ((~~$13,806,000~~)) $10,459,000

Prior Biennia (Expenditures) . . . . . $667,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . .((~~$14,948,000~~)) $11,601,000

**Sec. 5067.** 2009 c 497 s 5151 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Green River Community College - Humanities and Classroom Building Debt Service (20061205)

The appropriations in this section are subject to the following conditions and limitations: The community/technical college capital projects account appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for debt service on the capital project account certificate of participation issued for construction of this facility. The state board shall work with the office of the state treasurer to identify ways to expedite repayment of the debt incurred on this project that is in excess of actual project costs in order to minimize unnecessary demands upon building account revenue.

Reappropriation:

State Building Construction Account--State . . . . . $1,054,000

Appropriation:

Community/Technical College Capital Projects Account--State . . . . . $4,044,000

Prior Biennia (Expenditures) . . . . . $1,827,000

Future Biennia (Projected Costs) . . . . . ((~~$0~~)) $36,432,000

TOTAL . . . . . ((~~$2,881,000~~)) $43,357,000

**Sec. 5068.** 2009 c 497 s 5181 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Bellingham Technical College - Instructional Resource Center Debt Service (20081223)

The appropriations in this section are subject to the following conditions and limitations: The community/technical college capital projects account appropriation is provided solely for debt service on the capital project account certificate of participation issued for construction of this facility. The state board shall authorize only as

much debt as is needed to complete the project, not to exceed a total of $27,000,000.

Reappropriation:
State Building Construction Account--State . . . . . $1,000,000
Appropriation:
Community/Technical College Capital Projects
Account--State . . . . . $2,288,000
Prior Biennia (Expenditures) . . . . . ((~~$0~~))
$824,000
Future Biennia (Projected Costs) . . . . . ((~~$0~~))
$37,994,000
TOTAL . . . . . ((~~$1,000,000~~))
$42,106,000

**Sec. 5069.** 2009 c 497 s 5190 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Spokane Community College - Building 7 Renovation (20081319)

Reappropriation:
State Building Construction Account--State . . . . . $986,000
Appropriation:
State Building Construction Account--State . . . . . ((~~$9,748,000~~))
$8,343,000
Prior Biennia (Expenditures) . . . . . $23,000
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . .((~~$10,757,000~~))
$9,352,000

**Sec. 5070.** 2009 c 497 s 5192 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Pierce College Fort Steilacoom - Cascade Core (20081321)

Reappropriation:
State Building Construction Account--State . . . . . $1,200,000
Appropriation:
State Building Construction Account--State . . . . ((~~$15,000,000~~))
$13,099,000

Community/Technical College Capital Projects
Account--State . . . . . $8,500,000
Subtotal Appropriation . . . . . $21,599,000

Prior Biennia (Expenditures) . . . . . $1,042,000
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . .((~~$17,242,000~~))
$23,841,000

**Sec. 5071.** 2009 c 497 s 5168 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

North Seattle Community College - Employment Resource Center (20062851)

Reappropriation:
State Building Construction Account--State . . . . . $700,000

Appropriation:
State Building Construction Account--State . . . . . ((~~$5,000,000~~))
$7,676,000

Prior Biennia (Expenditures) . . . . . $1,790,000
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . ((~~$7,490,000~~))
$10,166,000

**Sec. 5072.** 2009 c 497 s 5135 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Clark College - East County Satellite (20041689)

Reappropriation:
Gardner-Evans Higher Education Construction
Account--State . . . . . ((~~$5,000,000~~))
$4,780,000

Prior Biennia (Expenditures) . . . . . $24,876,000
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . .((~~$29,876,000~~))
$29,656,000

**Sec. 5073.** 2009 c 497 s 5195 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Bellevue Community College - L Building Emergency Repairs (20081850)

Reappropriation:

State Building Construction Account--State . . . . . ((~~$1,460,000~~)) $387,000

Prior Biennia (Expenditures) . . . . . $203,000

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . ((~~$1,663,000~~)) $590,000

**Sec. 5074.** 2009 c 497 s 5223 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Minor Works - Preservation (30000210)

Appropriation:

((~~State Building Construction Account--State . . . . $15,116,000~~))

Community/Technical College Capital Projects Account--State . . . . . $16,000,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . .((~~$15,116,000~~)) $16,000,000

**Sec. 5075.** 2009 c 497 s 5179 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Everett Community College - Index Hall Replacement (20081221)

Reappropriation:

State Building Construction Account--State . . . . . $1,150,000

Appropriation:

State Building Construction Account--State . . . . . ((~~$2,301,000~~)) $2,157,000

Prior Biennia (Expenditures) . . . . . $1,650,000

Future Biennia (Projected Costs) . . . . . ((~~$40,205,000~~))
$40,349,000
TOTAL . . . . . $45,306,000

**Sec. 5076.** 2009 c 497 s 5213 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Minor Works - Program (30000078)

Appropriation:

State Building Construction Account--State . . . . . $3,858,000
Community/Technical College Capital Projects
Account--State . . . . . ((~~$9,714,000~~))
$12,227,000
Subtotal Appropriation . . . . . ((~~$13,572,000~~))
$16,085,000

Prior Biennia (Expenditures) . . . . . $0
Future Biennia (Projected Costs) . . . . . $80,000,000
TOTAL . . . . . ((~~$93,572,000~~))
$96,085,000

**Sec. 5077.** 2009 c 497 s 5164 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Spokane Falls Community College - Campus Classrooms (20062696)

Reappropriation:

State Building Construction Account--State . . . . . ((~~$1,450,000~~))
$883,000

Prior Biennia (Expenditures) . . . . . $434,000
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . ((~~$1,884,000~~))
$1,317,000

NEW SECTION. **Sec. 5078.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Construction Contingency Pool (92000007)

The appropriation in this section is provided solely for allocation by the state board for community and technical colleges for major construction and renovation projects that confront emergent and unavoidable costs in excess of the construction contingency and management reserves included in the project appropriation. The board shall report at least quarterly to the office of financial management and the legislative capital budget committees on requests for and allocations from the pool.

Appropriation:

State Building Construction Account--State . . . . . $3,076,000

Gardner-Evans Higher Education Construction Account--State . . . . . .$263,000

Subtotal Appropriation . . . . . $3,339,000

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . $0

TOTAL . . . . . $3,339,000

**Sec. 5079.** 2009 c 497 s 5224 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Preventative Facility Maintenance and Building System Repairs (30000287)

Appropriation:

Community and Technical Colleges Capital Projects Account--State . . . . . ((~~$22,800,000~~)) $0

Prior Biennia (Expenditures) . . . . . .$0

Future Biennia (Projected Costs) . . . . . .$91,208,000

TOTAL . . . . . ((~~$114,008,000~~)) $91,208,000

**Sec. 5080.** 2009 c 497 s 5143 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

Centralia Community College - Science Building (20042850)

Reappropriation:

State Building Construction Account--State . . . . . $194,000

Gardner-Evans Higher Education Construction
Account--State . . . . . ((~~$3,000,000~~))
$2,737,000
Subtotal Reappropriation . . . . . ((~~$3,194,000~~))
$2,931,000

Prior Biennia (Expenditures) . . . . . $28,919,000
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . .((~~$32,113,000~~))
$31,850,000

**Sec. 5081.** 2009 c 497 s 5167 (uncodified) is amended to read as follows:

**FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM**

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

Reappropriation:
State Building Construction Account--State . . . . . ((~~$1,020,000~~))
$323,000

Prior Biennia (Expenditures) . . . . . $1,425,000
Future Biennia (Projected Costs) . . . . . $0
TOTAL . . . . . ((~~$2,445,000~~))
$1,748,000

(End of part)

## PART 6
## MISCELLANEOUS AND SUPPLEMENTAL PROVISIONS

**Sec. 6001.** 2009 c 497 s 6009 (uncodified) is amended to read as follows:

**ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS.** The following agencies may enter into financial contracts, paid from any funds of an agency, appropriated or nonappropriated, 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. When securing properties under this section, agencies shall use the most economical financial contract option available, including long-term leases, lease-purchase agreements, lease-development with option to purchase agreements or financial contracts using certificates of participation. Expenditures made by an agency for one of the indicated purposes before the issue date of the authorized financial contract and any certificates of participation therein are intended to be reimbursed from proceeds of the financial contract and any certificates of participation therein to the extent provided in the agency's financing plan approved by the state finance committee.

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

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

(1) Department of corrections: ((~~Enter into a financing contract for up to $17,958,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase or build work release beds, violator beds, or other community-based re-entry facilities.~~)) Enter

into a financing contract for up to $12,400,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to move correctional industries facilities and operations from McNeil island corrections center to Stafford creek corrections center.

(2) Community and technical colleges:

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

(b) Enter into a financing contract on behalf of Bellingham Technical College for up to $1,390,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to develop an instructional resource center.

(c) Enter into a financing contract on behalf of Bellingham Technical College for up to ((~~$28,968,000~~)) $27,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to develop an instructional resource center. The cost of this financing contract shall be paid from the community and technical colleges capital projects account. This facility shall be eligible for maintenance and operations funding on the same terms as if constructed with state general obligation bonds.

(d) Enter into a financing contract on behalf of Edmonds Community College for up to $5,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to provide space for allied health and construction industry.

(e) Contingent upon the sale and purchase specified in section 5071 of this act, enter into a financing contract on behalf of Spokane Community College for up to $3,400,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase the Riverpoint One building.

(f) Enter into a financing contract on behalf of North Seattle Community College for up to $8,900,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to develop an employment resource center.

(g) Enter into a financing contract on behalf of Everett Community College for up to $25,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to develop a student fitness and health center.

(h) Enter into a financing contract on behalf of Wenatchee Valley Community College for up to $2,700,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase a music and art center.

(i) Enter into a financing contract on behalf of Green River Community College for up to $20,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to develop a 40,000 square foot addition to Green River Kent station.

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

(k) Enter into a financing contract pursuant to chapter 39.94 RCW on behalf of Green River Community College for up to $26,532,000 plus financing expenses and required reserves to construct a new classrooms facility as specified in project 20061205. The cost of this financing contract shall be paid from the community and technical colleges capital projects account. This facility shall be eligible for maintenance and operations funding on the same terms as if constructed with state general obligation bonds.

(3) Parks and recreation commission: Enter into a financing contract for up to $2,500,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the Mount Spokane lodge. The parks and recreation commission shall use energy savings performance contracting if practicable. The lodge shall be operated by a private concessionaire under a contract with the parks and recreation commission that is a qualified management contract under the applicable internal revenue service guidelines.

(4) Department of general administration: Enter into a financing contract for up to $27,144,000 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.

(5) 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.

(6) Washington State University: Enter into a financing contract for up to $15,000,000 plus financing expenses and required reserve pursuant to chapter 39.94 RCW for a student information system.

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

NEW SECTION. **Sec. 6002.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE DEPARTMENT OF GENERAL ADMINISTRATION--ENERGY SAVINGS PERFORMANCE CONTRACTING.** (1) The department of general administration, in fulfilling its requirement to maintain a registry of energy service contractors pursuant to RCW 39.35A.050, shall update the preapproved list of energy services companies that are qualified to provide services to public facilities in the state by June 30, 2010.

(2) The department of general administration must develop guidelines that are consistent with national and international energy savings performance standards for the implementation of energy savings performance contracting projects June 30, 2010.

NEW SECTION. **Sec. 6003.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT.** The office of financial management budget instructions, required by chapter 43.88 RCW, must instruct all agencies submitting budget requests for building renovations and improvements and operating budget requests for facility leases to conduct preliminary energy audits if proposed renovations or improvements involve building envelope, heating, ventilating, air conditioning, controls, and lighting. The budget instructions must also direct agencies to contact the department of general administration for assistance, if necessary.

NEW SECTION. **Sec. 6004.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**DEBT AFFORDABILITY STUDY.** The office of the state treasurer shall prepare a debt affordability study by December 1, 2010, that provides an assessment of the state's current debt portfolio and an analysis of the impact of future debt issuance. The study must include but is not limited to: An overview of the state's outstanding and projected debt; the structure of the debt portfolio; the cost of existing debt; sources of funds for interest, principal, or lease payments; and the purposes for which debt instruments and financing contracts are issued. To assist with this work, the office of the state treasurer shall convene and staff a work group to include staff from the fiscal committees of the state house of representatives and state senate and the office of financial management.

NEW SECTION. **Sec. 6005.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR SPOKANE COMMUNITY COLLEGE.** The Washington state military department shall transfer building 100 and 5.47 acres of associated land at Geiger field to Spokane community college for the development of a Spokane aerospace technology center.

**Sec. 6006.** 2008 c 5 s 1 (uncodified) is amended to read as follows:

Pursuant to chapter 43.155 RCW, the following project loans recommended by the public works board are authorized to be made with funds appropriated from the public works assistance account, and no loan authorized in this act shall bear an interest rate greater than one-half of one percent:

(1) Arlington--sanitary sewer project--expand and upgrade the wastewater treatment plant and biosolids composting facility to meet new discharge limitations, produce a higher quality effluent, and accommodate future growth . . . . . $10,000,000

(2) Auburn--street project--reconstruct approximately 0.3 miles of roadway with four travel lanes to bring up to current arterial and truck route standards and modify intersection to optimize efficiency and level of service . . . . . $1,800,000

(3) Blaine--sanitary sewer project--construct a new wastewater treatment plant and section of outfall pipe to increase treatment

capacity, produce reuse quality water, and improve Puget Sound water quality for shellfish . . . . . .$10,000,000

(4) Bonney Lake--domestic water project--replace approximately 71,000 linear feet of leaky water mains to reduce current water loss by ten percent . . . . . $5,352,000

(5) Bonney Lake--sanitary sewer project--replace approximately 12,000 linear feet of failing interceptor sewer pipes . . . .$4,648,000

(6) Buckley--sanitary sewer project--rebuild the wastewater treatment plant to provide nutrient removal and meet state and federal discharge regulations and the construction of an interceptor . . . . . $5,000,000

(7) Camas--sanitary sewer project--construct improvements to the wastewater treatment facilities to provide class A biosolids at the main sewage pump station . . . . . $10,000,000

(8) Clark county--road project--construct new road segments, widen roadways, improve and redesign intersections, and install and modify traffic signals necessary to improve a major interchange with two freeways . . . . . $10,000,000

(9) Clark regional wastewater district--sanitary sewer project--modify existing and construct new wastewater facilities to process approximately 4.65 million gallons more of wastewater per day and ensure treatment processes continue to be in compliance with current regulations . . . . . $8,000,000

(10) Coal creek utility district--sanitary sewer project--construct sewer lift station, approximately 1,250 lineal feet of gravity sewer main, and 500 feet of force main to provide public sewer to approximately 25 properties on a lake that have private septic systems that have failed or are in prefailure status . . . . . $898,875

(11) College Place--domestic water project--construct two steel tanks, a booster station, approximately 6,000 feet of transmission line, 3,400 feet of water mains, three pressure reducing valves, and associated telemetry to rectify a deficiency in fire flow and standby water storage protection . . . . . .$4,710,051

(12) Cowlitz county public utility district No. 1--domestic water project--construction of approximately six new groundwater supply wells, 2,100 feet of raw water piping a new water treatment plant producing approximately 20 million gallons per day of potable water,

and approximately 4,350 feet of transmission main to connect to the system to replace current water supply that is being impacted by increasing water sediment . . . . . $3,213,000

(13) Ephrata--domestic water project--replace approximately 68,000 feet of failing water mains, 50,000 feet of failing water service pipes, and the resurfacing of 20 miles of overlaying roadway, including approximately 100 fire hydrants, 400 catch basins, 15 storm sewer drywells, 22,000 feet of curb and gutter, and 16,000 feet of storm sewer pipe . . . . . $6,605,727

(14) Freeland water district--domestic water project--connect a new well and new reservoir to the existing system, rehabilitate the existing well, and install new equipment to increase system reliability, redundancy, and capacity. Install new chlorination equipment to improve water quality . . . . . $347,516

(15) Gig Harbor--sanitary sewer project--improvements to the wastewater treatment plant including new equipment and electrical work, add a third clarifier, install ultraviolet disinfection, and extend and upsize the outfall . . . . . $10,000,000

(16) Highline water district--domestic water project--construction of 11,350 feet of transmission main and looping of pipes to eliminate low pressures and fire flows and improve water quality, and create a new pressure zone to correct high pressures . . . . . $5,390,418

(17) Karcher creek sewer district--sanitary sewer project--install a new sewer system, including a lift station and approximately 3,600 lineal feet of sewer main, in conjunction with a road project to service approximately 17 homes that will lose their septic systems due to the road project . . . . . $1,358,130

(18) Kennewick--sanitary sewer project--construct improvements to critical wastewater treatment plant processes to enhance reliability, improve energy efficiency and redundancy, as well as increase the capacity of the sludge pumping station . . . . . $5,500,000

(19) Kent--street project--construct two bridges, one for the roadway over a set of railroad tracks, and one for railroad tracks over a lowered roadway. This will grade separate the tracks from the roadway to provide safe and reliable operations twenty-four hours a day . . . . . $10,000,000

(20) King county--sanitary sewer project--construct 13,100 lineal

feet of pipe to convey approximately 9 million gallons per day of reclaimed water to reduce withdrawals of 250-acre feet per year from the Sammamish river . . . . . $7,000,000

(21) La Center--sanitary sewer project--upgrade wastewater treatment plant to reduce the levels of nitrogen discharged in the effluent and approximately doubling the operation of the plant and producing class A reuse water . . . . . $10,000,000

(22) Lake Forest Park water district--domestic water project--replace approximately 6,915 lineal feet of undersized and corroded water pipes to improve safety and reliability of the system by reducing pipe failures and increasing fire flow . . . . . $917,935

(23) Lake Stevens--sanitary sewer project--construct a new wastewater treatment plant, 9,500 feet of interceptor line, a pump station, and an outfall pipe in partnership with Lake Stevens sewer district . . . . . $10,000,000

(24) Lake Stevens sewer district--sanitary sewer project--construct a new wastewater treatment plant, 9,500 feet of interceptor line, a pump station, and an outfall pipe in partnership with the city of Lake Stevens . . . . . $10,000,000

(25) Lakewood--sanitary sewer project--construct 3 pump stations, approximately 17,200 linear feet of force mains, 13,500 linear feet of gravity collector pipe line, and 320 side sewer stubs to service two neighborhoods currently served exclusively by septic systems . . . . . $1,840,000

(26) LOTT alliance--sanitary sewer project--construct approximately 7,400 feet of force main and replace existing pump station with new 1,000 gallon per minute pump station . . . . . $4,003,807

(27) Mansfield--sanitary sewer project--expand and rehabilitate wastewater treatment lagoons and effluent spray irrigation system as well as remove the discharge of groundwater from basement sump pumps to the collection system . . . . . $235,600

(28) Midway sewer district--sanitary sewer project--replace approximately 16,500 lineal feet of sewer mains and 50 manholes to reduce infiltration and inflow . . . . . $3,782,500

(29) Mount Vernon--sanitary sewer project--upgrade existing wastewater treatment plant, including a new pretreatment facility, 4 additional clarifiers, upgrade aeration basins, installation of an ultraviolet disinfection system, and odor control system . $10,000,000

(30) Newcastle--road project--reconstruct, widen, and signalize approximately 5,200 linear feet of road to 2 lanes in each direction, add left turn lanes, sidewalks, bicycle lanes, install lighting systems, replace two-lane bridge with a four-lane bridge, and install new traffic signals . . . . . $5,000,000

(31) Olympia--sanitary sewer project--install approximately 6,500 linear feet of sewer mains and construct a lift station to serve 63 homes with failing on-site sewage systems . . . . . $1,808,375

(32) Olympus Terrace sewer district--sanitary sewer project--rehabilitate approximately 9,350 linear feet of sewer trunkline, construct approximately 9,800 linear feet of high-flow storm water bypass piping for excess flow, construct approximately 4,150 linear feet of road access, and restore creek habitat . . . . . $8,000,000

(33) Omak--sanitary sewer project((~~--add 2 compost containers, convert storage tank to sludge holding tank, and install a second headworks screen to increase the wastewater treatment plant capacity by 35 percent~~)) . . . . . $450,000

(34) Port Angeles--sanitary sewer project--construct approximately 11,500 feet of sewer main, modify a storage tank, and modify the wastewater treatment plant . . . . . $10,000,000

(35) Regional board of mayors--solid waste project--close landfill site by capping and sealing with a soil cap . . . . . $859,500

(36) Regional board of mayors--solid waste project--construct a new solid waste transfer station, including structures and equipment . . . . . $1,541,000

(37) Ronald wastewater district--sanitary sewer project--rehabilitate 2 lift stations by replacing pumps, valves, fittings, piping, odor control systems, and electrical equipment . . . . $955,400

(38) Seattle--domestic water project--replace floating pumps with land-based pump station with a maximum capacity of approximately 250 million gallons per day, including 8 pumps, concrete structure, a tunnel, approximately 4,000 feet of pipeline, and a standby generator. . . . . $10,000,000

(39) Sedro-Woolley--sanitary sewer project--rehabilitate or replace 4 interceptor segments totaling approximately 29,700 linear feet, install 2 pump stations, and upgrade the secondary clarifier in order to lift a building moratorium . . . . . $6,023,491

(40) Shelton--sanitary sewer project--construct a satellite reclamation plant with a capacity of approximately 0.4 million gallons per day to produce class A reclaimed water, approximately 22,000 linear feet of sewer pipelines, and approximately 25,000 linear feet of reclaimed water force main . . . . . .$2,079,360

(41) Shelton--sanitary sewer project--replace approximately 38,480 linear feet of mainline sewers to reduce inflow and infiltration . . . . . $5,737,500

(42) Skagit county sewer district No. 2--sanitary sewer project--upgrade wastewater treatment plant to a water reclamation facility to provide class A reclaimed water with a capacity of approximately 0.35 million gallons per day . . . . . .$10,000,000

(43) Snohomish--sanitary sewer project--construct approximately 1,900 feet of sewer pipe, a new pump station with a capacity of approximately 8,000 gallons per minute, and approximately 4,300 feet of force main to reduce overflows . . . . . $2,000,000

(44) Snohomish--sanitary sewer project((~~--upgrade existing wastewater treatment plant including a new influent flow structure, screens, aerators, effluent filtration, ultraviolet disinfection, effluent pump station, improvements to the existing lagoons, and electrical improvements~~)) . . . . . $4,500,000

(45) Snohomish county--road project--construct a new, approximately two-mile, two-lane truck route around the city of Granite Falls, including 3 roundabouts to improve safety and air quality in the downtown area . . . . . $10,000,000

(46) Southwest Suburban sewer district--sanitary sewer project--replace and/or slipline approximately 5,470 feet of trunk/interceptor sewer main and construct a new lift station to reduce overflows . . . . . $3,268,250

(47) Tacoma--domestic water project--replace 3 open-topped concrete reservoirs with 2 enclosed concrete reservoirs of approximately 33 million gallons each and related piping to comply with the safe drinking water act and a bilateral compliance agreement . . $10,000,000

(48) Tekoa--sanitary sewer system--reconstruct approximately 1,000 feet of failing sewer line and manholes to reduce significant groundwater infiltration . . . . . .$135,115

(49) Three rivers regional wastewater authority--sanitary sewer

project--construct 2 clarifiers and associated piping to replace 2 failed clarifiers at the wastewater plant . . . . . $6,630,750

(50) Washougal--sanitary sewer project--construct a new wastewater treatment plant headworks, including a fine screen, grit removal, and replace approximately 150 linear feet of gravity sewer, and make improvements to the lagoons, including 450 linear feet of piping, modify overflow structures, and a new pump . . . . . $3,100,000

(51) Yakima--domestic water project--develop a new, approximately 3,000 gallon per minute, domestic water well, including drilling, placement of casing, a new pump house, and connection to the existing water distribution system in order to augment the water supply during drought conditions . . . . . $2,257,200

(52) Yakima--street project--construct 2 underpasses and reconstruct 3 lanes on each roadway under a railroad mainline to accommodate additional rail and reduce traffic and emergency response delays and air pollution . . . . . $3,000,000

**Sec. 6007.** RCW 43.155.050 and 2009 c 564 s 940 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, 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. During the 2009-2011 fiscal biennium, the legislature may transfer from the public works assistance account to the general fund and the city-county assistance account such amounts as reflect the

excess fund balance of the account. During the 2009-2011 fiscal biennium, sums in the public works assistance account may be used for the water pollution control revolving fund program match in section 3013 of this act.

(2) The job development fund is hereby established in the state treasury. Moneys in the job development fund may be spent only after appropriation.

**Sec. 6008.** RCW 28B.20.725 and 1969 ex.s. c 223 s 28B.20.725 are each amended to read as follows:

The board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the University of Washington building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;

(5) To authorize the transfer to the University of Washington building account of any money on deposit in the bond retirement fund in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund. However, during the 2009-2011 fiscal biennium, the legislature may transfer to the University of Washington building account moneys that are in excess of the debt service due within one year of the date of transfer on all outstanding bonds payable out of the bond retirement fund.

**Sec. 6009.** RCW 28B.30.750 and 1969 ex.s. c 223 s 28B.30.750 are each amended to read as follows:

The board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the Washington State University building account to the bond retirement fund when necessary to prevent a default in the payments required to be made out of such fund;

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds;

(5) To authorize the transfer to the Washington State University building account of any money on deposit in the bond retirement fund in excess of debt service for a period of three years from the date of such transfer on all outstanding bonds payable out of such fund. <u>However, during the 2009-2011 fiscal biennium, the legislature may transfer to the Washington State University building account moneys that are in excess of the debt service due within one year of the date of transfer on all outstanding bonds payable out of the bond retirement fund.</u>

<u>NEW SECTION.</u> **Sec. 6010.** A new section is added to 2009 c 497 (uncodified) to read as follows:

**FOR THE STATE TREASURER--TRANSFERS**

University of Washington bond retirement fund:

For transfer to the University of Washington building account for fiscal year 2010 . . . . . $14,000,000

**Sec. 6011.** RCW 43.160.080 and 2008 c 327 s 11 are each amended to read as follows:

There shall be a fund in the state treasury known as the public facilities construction loan revolving account, which shall consist of all moneys collected under this chapter and any moneys appropriated to it by law. Disbursements from the revolving account shall be on authorization of the board. In order to maintain an effective expenditure and revenue control, the public facilities construction loan revolving account shall be subject in all respects to chapter 43.88 RCW. <u>During the 2009-2011 biennium, sums in the public facilities construction loan revolving account may be used for</u>

community economic revitalization board export assistance grants and loans in section 1018 of this act and for matching funds for the federal energy regional innovation cluster in section 1017 of this act.

**Sec. 6012.** 2009 c 497 s 6004 (uncodified) is amended to read as follows:

(1) The office of financial management may ((~~authorize a~~)) transfer ((~~of~~)) appropriation authority provided for a capital project that is in excess of the amount required for the completion of ((~~such~~)) the project ((~~to another capital project for which the appropriation is insufficient. No such transfer may be used to expand the capacity of any facility beyond that intended in making the appropriation. Such transfers may be effected only between capital appropriations to a specific department, commission, agency, or institution of higher education and only between capital projects that are funded from the same fund or account. No transfers may occur between projects to local government agencies except where the grants are provided within a single omnibus appropriation and where such transfers are specifically authorized by the implementing statutes that govern the grants.~~

~~(2) The office of financial management may find that an amount is in excess of the amount required for the completion of a project only if: (a) The project as defined in the notes to the budget document is substantially complete and there are funds remaining; or (b) bids have been let on a project and it appears to a substantial certainty that the project as defined in the notes to the budget document can be completed within the biennium for less than the amount appropriated in this act.~~

~~(3)~~)), based on the authorized scope, to the risk pool in section 1021.

(2) For the purposes of this section, the intent is that each project be defined as proposed to the legislature in the governor's budget document, unless it clearly appears from the legislative history that the legislature intended to define the scope of a project in a different way.

((~~(4) Transfers of funds to an agency's infrastructure savings appropriation are subject to review and approval by the office of financial management. Expenditures from an infrastructure savings appropriation are limited to projects that have a primary purpose to~~

~~correct infrastructure deficiencies or conditions that: (a) Adversely affect the ability to utilize the infrastructure for its current programmatic use; (b) reduce the life expectancy of the infrastructure; or (c) increase the operating costs of the infrastructure for its current programmatic use. Eligible infrastructure projects may include structures and surface improvements, site amenities, utility systems outside building footprints and natural environmental changes or requirements as part of an environmental regulation, a declaration of emergency for an infrastructure issue in conformance with RCW 43.88.250, or infrastructure planning as part of a facility master plan.~~

~~(5) A report of any transfer effected under this section, except emergency projects or any transfer under $250,000, shall be filed with the legislative fiscal committees of the senate and house of representatives by the office of financial management at least thirty days before the date the transfer is effected. The office of financial management shall report all emergency or smaller transfers within thirty days from the date of transfer.~~))

(3) The office of financial management shall not allot any portion of a capital budget appropriation for: (a) Contingencies above the amount required for completion of a project as described in budget documents submitted as part of the governor's capital budget request or consistent with legislative history; (b) proposed alternates submitted in bid documents if agencies cannot document a programmatic need and an operational budget savings resulting from the completion of the alternate project component that would pay for the cost of the alternate within eight years; or (c) for any equipment costs or project scope beyond what was described in the budget documents submitted as part of the governor's capital budget request.

(4) The office of financial management shall submit a monthly report of approved allotments, subject to this section, by project. The report shall include the accepted base bid and any approved alternates with the analysis demonstrating sufficient operational budget savings.

**Sec. 6013.** RCW 90.71.370 and 2009 c 479 s 74 are each amended to read as follows:

(1) By December 1, 2008, and by September 1st of each even-numbered

year beginning in 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) Water pollution control facilities financing, 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.

(5) During the 2009-11 fiscal biennium, the council's review must result in a ranking of projects affecting the protection and recovery of the Puget Sound basin that are proposed in the governor's capital budget submitted under RCW 43.88.060. The ranking shall include recommendations for reallocation of total requested funds for Puget Sound basin projects to achieve the greatest positive outcomes for protection and recovery of Puget Sound and shall be submitted to the appropriate fiscal committees of the legislature no later than February 1, 2011.

**Sec. 6014.** RCW 39.10.210 and 2007 c 494 s 101 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Alternative public works contracting procedure" means the design-build, general contractor/construction manager, and job order contracting procedures authorized in RCW 39.10.300, 39.10.340, and 39.10.420, respectively.

(2) "Board" means the capital projects advisory review board.

(3) "Committee" means the project review committee.

(4) "Design-build procedure" means a contract between a public body and another party in which the party agrees to both design and build the facility, portion of the facility, or other item specified in the contract.

(5) "Total contract cost" means the fixed amount for the detailed specified general conditions work, the negotiated maximum allowable construction cost, and the percent fee on the negotiated maximum allowable construction cost.

(6) "General contractor/construction manager" means a firm with which a public body has selected and negotiated a maximum allowable construction cost to provide services during the design phase and to act as construction manager and general contractor during the construction phase.

(7) "Job order contract" means a contract in which the contractor agrees to a fixed period, indefinite quantity delivery order contract which provides for the use of negotiated, definitive work orders for public works as defined in RCW 39.04.010.

(8) "Job order contractor" means a registered or licensed contractor awarded a job order contract.

(9) "Maximum allowable construction cost" means the maximum cost of the work to construct the project including a percentage for risk contingency, negotiated support services, and approved change orders.

(10) "Negotiated support services" means items a general contractor would normally manage or perform on a construction project including, but not limited to surveying, hoisting, safety enforcement, provision of toilet facilities, temporary heat, cleanup, and trash removal.

(11) "Percent fee" means the percentage amount to be earned by the general contractor/construction manager as overhead and profit.

(12) "Public body" means any general or special purpose government, including but not limited to state agencies, institutions of higher education, counties, cities, towns, ports, school districts, and special purpose districts<u>, provided that for the 2009-2011 fiscal biennium, the definition of public body for this chapter does not include public bodies funded in section 1012 of this act if alternative requirements or procedures of federal law or regulations are authorized</u>.

(13) "Certified public body" means a public body certified to use

design-build or general contractor/construction manager contracting procedures, or both, under RCW 39.10.270.

(14) "Public works project" means any work for a public body within the definition of "public work" in RCW 39.04.010.

(15) "Total project cost" means the cost of the project less financing and land acquisition costs.

(16) "Unit price book" means a book containing specific prices, based on generally accepted industry standards and information, where available, for various items of work to be performed by the job order contractor. The prices may include: All the costs of materials; labor; equipment; overhead, including bonding costs; and profit for performing the items of work. The unit prices for labor must be at the rates in effect at the time the individual work order is issued.

(17) "Work order" means an order issued for a definite scope of work to be performed pursuant to a job order contract.

**Sec. 6015.** RCW 39.94.040 and 2003 c 6 s 2 are each amended to read as follows:

(1) Except as provided in RCW 28B.10.022, the state may not enter into any financing contract for itself if the aggregate principal amount payable thereunder is greater than an amount to be established from time to time by the state finance committee or participate in a program providing for the issuance of certificates of participation, including any contract for credit enhancement, without the prior approval of the state finance committee. Except as provided in RCW 28B.10.022, the state finance committee shall approve the form of all financing contracts or a standard format for all financing contracts. The state finance committee also may:

(a) Consolidate existing or potential financing contracts into master financing contracts with respect to property acquired by one or more agencies, departments, instrumentalities of the state, the state board for community and technical colleges, or a state institution of higher learning; or to be acquired by an other agency;

(b) Approve programs providing for the issuance of certificates of participation in master financing contracts for the state or for other agencies;

(c) Enter into agreements with trustees relating to master financing contracts; and

(d) Make appropriate rules for the performance of its duties under this chapter.

(2) In the performance of its duties under this chapter, the state finance committee may consult with representatives from the department of general administration, the office of financial management, and the department of information services.

(3) With the approval of the state finance committee, the state also may enter into agreements with trustees relating to financing contracts and the issuance of certificates of participation.

(4) Except for financing contracts for real property used for the purposes described under chapter 28B.140 RCW, the state may not enter into any financing contract for real property of the state without prior approval of the legislature. For the purposes of this requirement, a financing contract must be treated as used for real property if it is being entered into by the state for the acquisition of land; the acquisition of an existing building; the construction of a new building; or a major remodeling, renovation, rehabilitation, or rebuilding of an existing building. Prior approval of the legislature is not required under this chapter for a financing contract entered into by the state under this chapter for energy conservation improvements to existing buildings where such improvements include: (a) Fixtures and equipment that are not part of a major remodeling, renovation, rehabilitation, or rebuilding of the building, or (b) other improvements to the building that are being performed for the primary purpose of energy conservation. Such energy conservation improvements must be determined eligible for financing under this chapter by the office of financial management in accordance with financing guidelines established by the state treasurer, and are to be treated as personal property for the purposes of this chapter.

(5) The state may not enter into any financing contract on behalf of an other agency without the approval of such a financing contract by the governing body of the other agency.

NEW SECTION. **Sec. 6016.** The following acts or parts of acts are each repealed:

(1) 2009 c 497 s 1089 (uncodified);

(2) 2009 c 497 s 2030 (uncodified);

(3) 2009 c 497 s 2079 (uncodified);

(4) 2009 c 497 s 3098 (uncodified);
(5) 2009 c 497 s 4009 (uncodified);
(6) 2009 c 497 s 5043 (uncodified);
(7) 2009 c 497 s 5059 (uncodified);
(8) 2009 c 497 s 5072 (uncodified);
(9) 2009 c 497 s 5084 (uncodified);
(10) 2009 c 497 s 5098 (uncodified);
(11) 2009 c 497 s 5112 (uncodified); and
(12) RCW 39.86.200 (Ratification) and 1987 c 297 s 11.

NEW SECTION. **Sec. 6017.** 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. 6018.** 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 bill)

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On page 1, line 2 of the title, after "improvements;" strike the remainder of the title and insert "amending RCW 43.155.050, 28B.20.725, 28B.30.750, 43.160.080, 90.71.370, 39.10.210, and 39.94.040; amending 2009 c 497 ss 1005, 1013, 1029, 1019, 1023, 1030, 1031, 1034, 1035, 1039, 1040, 1045, 1046, 1048, 1054, 1055, 1065, 1071, 1075, 1060, 1061, 1063, 1064, 1068, 1073, 1081, 1086, 1087, 2001, 2002, 2027, 2014, 2034, 2037, 2038, 2067, 2072, 2075, 2078, 2068, 2054, 2064, 3059, 3039, 3007, 3049, 3054, 3060, 3020, 3052, 3093, 3094, 3090, 3091, 3085, 3109, 3133, 3138, 3157, 3168, 3169, 3172, 3178, 3182, 3197, 3203, 4008, 5007, 5008, 5009, 5002, 5013, 5014, 5011, 5027, 5029, 5024, 5023, 5026, 5028, 5037, 5030, 5041, 5035, 5039, 5055, 5047, 5054, 5056, 5057, 5064, 5061, 5065, 5068, 5079, 5080, 5083, 5092, 5094, 5093, 5097, 5104, 5100, 5111, 5115, 5116, 5118, 5120, 5174, 5176, 5127, 5180, 5171, 5182, 5210, 5183, 5184, 5217, 5218, 5219, 5220, 5204, 5205, 5206, 5208, 5165, 5177, 5178, 5191, 5151, 5181, 5190, 5192, 5168, 5135, 5195, 5223, 5179, 5213, 5164, 5224, 5143, 5167, 6009, and 6004 (uncodified); amending 2008 c 5 s 1 (uncodified); adding new sections to 2009 c 497 (uncodified); creating a new section; repealing RCW 39.86.200; repealing 2009 c 497 ss 1089, 2030, 2079, 3098, 4009, 5043, 5059, 5072, 5084, 5098, and 5112 (uncodified); and declaring an emergency."

**--- END ---**