

SIXTIETH LEGISLATURE - REGULAR SESSION

ONE HUNDRED FIRST DAY

House Chamber, Olympia, Wednesday, April 18, 2007

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Erin McCullough and Forrest Penny-Brown. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. Prayer was offered by Janet Tanaka, Baha'i of Thurston County East.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Appropriations was relieved of SUBSTITUTE SENATE BILL NO. 5097, and the bill was placed on the Second Reading calendar.

RESOLUTIONS

HOUSE RESOLUTION NO. 2007-4663. By Representative Linville

WHEREAS, It is the policy of the Washington State Legislature to recognize excellence in all fields of endeavor; and

WHEREAS, High school basketball and football has a long tradition of molding the student athlete of today into a leader of tomorrow and embraces the values of team and sacrifice, in addition to pride in the community and self; and

WHEREAS, In an example of excellence and camaraderie, the 2006-07 Lynden High School Lions captured a Class 2A Team State Championship in both football and basketball; and

WHEREAS, The 2006 Lynden Varsity football team had an amazing overall season of thirteen wins and one loss; and

WHEREAS, The 2006 Lynden High School football team was led by Head Coach Curt Kremme and Assistant Head Coach Pat Murphy; and

WHEREAS, The Lions championship game was a nail biter against the Centralia High School Tigers and ended in a fourteen to ten win for Lynden High School; and

WHEREAS, The 2007 Lynden basketball team had an incredible overall season of twenty-three wins and two losses; and

WHEREAS, The 2007 Lynden High School basketball team was led by Head Coach Brian Roper and Assistant Coach Jeb Kratzig; and

WHEREAS, The Championship game was played against the Mark Morris High School team with a sixty-two to forty-four victory for the Lions; and

WHEREAS, There are seven schools that have won state championships in both football and basketball in the same season and the Lynden Lions have done it three times in the

incredible seasons of 1980-81, 1991-92, and then in this remarkable 2006-07 season; and

WHEREAS, The support and encouragement of families and the spirit shown by the school and the community were an integral part in this championship season as well as past seasons;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor the outstanding accomplishments of the Lynden High School Football and Basketball Teams in their record-breaking state championship season of 2006-07 and congratulate the team members, coaches, families, students, and community that made such an accomplishment possible; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the members and coaches of the Lynden High School Football and Basketball Teams, Lynden school district Superintendent Dr. Dennis Carlson, Athletic Director Terry DeValois, and School Principal Jeff Baglio.

HOUSE RESOLUTION NO. 4663 was adopted.

HOUSE RESOLUTION NO. 2007-4664. By Representative Linville

WHEREAS, Dr. Harold G. Heiner has served his community, his state, and his country with dignity and diligence throughout his lifetime and has been a champion of Whatcom Community College for the last 27 years; and

WHEREAS, Dr. Heiner served valiantly in the United States Marine Corps from 1956-1959; and

WHEREAS, Dr. Heiner returned to Western Washington where he received his A.A. Degree from Skagit Valley Community College, his B.A. Degree in Education from Western Washington University, his Masters of Science Degree in Psychology from Washington State University, and his PhD Degree in Educational Psychology from the University of Washington; and

WHEREAS, From 1966-1973 Dr. Heiner worked as a faculty member and Director of Student Development at Skagit Valley Community College and from 1973-1978 Dr. Heiner served on the State Board for Community College Education as the Director of Student Services; and

WHEREAS, In 1978 Dr. Heiner came to Whatcom Community College where he worked as the Dean of Instruction until 1984; and

WHEREAS, Dr. Heiner was appointed June 1, 1984, to serve as the president of Whatcom Community College, which he has done diligently for 23 years; and

WHEREAS, Dr. Heiner has focused on a student-centered climate and helped to make Whatcom Community College a leader among community colleges; and

WHEREAS, Whatcom Community College is a comprehensive, state sponsored school that serves over 7,000 students each quarter and offers transfer programs and personal training programs, as well as basic education and enrichment programs; and

WHEREAS, Dr. Heiner has shown great leadership in the acquisition of land and has secured capital funding for many necessary and beautiful facilities as well as implementing many innovative programs and continually expanded and improved the academic and extracurricular activities offered by the college; and

WHEREAS, Dr. Heiner was inducted into the Whatcom Community College Hall of Distinction on March 8, 2006; and

WHEREAS, Dr. Heiner has received the title of President Emeritus of the College to be effective once he retires on July 1, 2007; and

WHEREAS, This honor has only been bestowed upon two other community college presidents; and

WHEREAS, Dr. Heiner wants to work with the college to make the transition as smooth as possible by developing a transition guide for the new president as well as a historic archive for the college;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize Dr. Harold G. Heiner as a hero in his community, applaud his outstanding achievements in his career in Higher Education at Whatcom Community College, and praise his lasting contributions to the quality of life in Whatcom County and Washington State; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Dr. Harold G. Heiner, and to the Trustees of Whatcom Community College.

HOUSE RESOLUTION NO. 4664 was adopted.

MESSAGE FROM THE SENATE

April 17, 2007

Mr. Speaker:

The Senate receded from its amendment to SUBSTITUTE HOUSE BILL NO. 1396, and passed the bill without said amendments, and the same is herewith transmitted.

Thomas Hoemann, Secretary

SIGNED BY THE SPEAKER

The Speaker signed:

- ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1001, HOUSE BILL NO. 1005,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1008,
- SUBSTITUTE HOUSE BILL NO. 1029,
- SUBSTITUTE HOUSE BILL NO. 1037,
- HOUSE BILL NO. 1038,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1050,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1052,
- HOUSE BILL NO. 1065,
- HOUSE BILL NO. 1073,
- HOUSE BILL NO. 1077,
- SUBSTITUTE HOUSE BILL NO. 1079,
- SUBSTITUTE HOUSE BILL NO. 1082,
- SECOND SUBSTITUTE HOUSE BILL NO. 1096,
- SUBSTITUTE HOUSE BILL NO. 1099,
- SECOND SUBSTITUTE HOUSE BILL NO. 1106,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1131,
- SUBSTITUTE HOUSE BILL NO. 1140,
- HOUSE BILL NO. 1166,
- SECOND SUBSTITUTE HOUSE BILL NO. 1201,
- ENGROSSED HOUSE BILL NO. 1214,
- ENGROSSED HOUSE BILL NO. 1217,
- HOUSE BILL NO. 1220,
- HOUSE BILL NO. 1224,
- SUBSTITUTE HOUSE BILL NO. 1233,
- SUBSTITUTE HOUSE BILL NO. 1244,
- SUBSTITUTE HOUSE BILL NO. 1255,
- SUBSTITUTE HOUSE BILL NO. 1256,
- SUBSTITUTE HOUSE BILL NO. 1259,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1260,

- SUBSTITUTE HOUSE BILL NO. 1267,
- SUBSTITUTE HOUSE BILL NO. 1276,
- SUBSTITUTE HOUSE BILL NO. 1287,
- HOUSE BILL NO. 1293,
- SUBSTITUTE HOUSE BILL NO. 1298,
- SUBSTITUTE HOUSE BILL NO. 1304,
- SUBSTITUTE HOUSE BILL NO. 1319,
- SUBSTITUTE HOUSE BILL NO. 1328,
- HOUSE BILL NO. 1331,
- HOUSE BILL NO. 1366,
- HOUSE BILL NO. 1371,
- SUBSTITUTE HOUSE BILL NO. 1396,
- SUBSTITUTE HOUSE BILL NO. 1397,
- SUBSTITUTE HOUSE BILL NO. 1407,
- SUBSTITUTE HOUSE BILL NO. 1409,
- ENGROSSED HOUSE BILL NO. 1413,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1414,
- SUBSTITUTE HOUSE BILL NO. 1417,
- HOUSE BILL NO. 1418,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1422,
- HOUSE BILL NO. 1443,
- SUBSTITUTE HOUSE BILL NO. 1445,
- HOUSE BILL NO. 1449,
- HOUSE BILL NO. 1457,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1461,
- SUBSTITUTE HOUSE BILL NO. 1472,
- HOUSE BILL NO. 1476,
- SECOND SUBSTITUTE HOUSE BILL NO. 1488,
- HOUSE BILL NO. 1505,
- SECOND SUBSTITUTE HOUSE BILL NO. 1506,
- HOUSE BILL NO. 1520,
- ENGROSSED HOUSE BILL NO. 1525,
- HOUSE BILL NO. 1543,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1569,
- SUBSTITUTE HOUSE BILL NO. 1583,
- HOUSE BILL NO. 1592,
- HOUSE BILL NO. 1599,
- SECOND SUBSTITUTE HOUSE BILL NO. 1636,
- HOUSE BILL NO. 1644,
- SUBSTITUTE HOUSE BILL NO. 1646,
- ENGROSSED HOUSE BILL NO. 1648,
- SUBSTITUTE HOUSE BILL NO. 1651,
- SUBSTITUTE HOUSE BILL NO. 1654,
- SECOND SUBSTITUTE HOUSE BILL NO. 1656,
- HOUSE BILL NO. 1671,
- SUBSTITUTE HOUSE BILL NO. 1679,
- HOUSE BILL NO. 1722,
- SUBSTITUTE HOUSE BILL NO. 1761,
- SUBSTITUTE HOUSE BILL NO. 1777,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1779,
- SUBSTITUTE HOUSE BILL NO. 1802,
- SUBSTITUTE HOUSE BILL NO. 1805,
- SECOND SUBSTITUTE HOUSE BILL NO. 1811,
- HOUSE BILL NO. 1820,
- SUBSTITUTE HOUSE BILL NO. 1832,
- SUBSTITUTE HOUSE BILL NO. 1837,
- HOUSE BILL NO. 1859,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1883,
- SUBSTITUTE HOUSE BILL NO. 1891,
- SECOND SUBSTITUTE HOUSE BILL NO. 1896,
- ENGROSSED HOUSE BILL NO. 1898,
- SECOND SUBSTITUTE HOUSE BILL NO. 1906,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1910,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1916,
- SECOND SUBSTITUTE HOUSE BILL NO. 1922,
- SUBSTITUTE HOUSE BILL NO. 1929,
- HOUSE BILL NO. 1949,
- HOUSE BILL NO. 1966,
- SECOND SUBSTITUTE HOUSE BILL NO. 1980,
- SUBSTITUTE HOUSE BILL NO. 1988,
- HOUSE BILL NO. 2004,
- SUBSTITUTE HOUSE BILL NO. 2007,
- HOUSE BILL NO. 2034,
- SUBSTITUTE HOUSE BILL NO. 2049,
- SECOND SUBSTITUTE HOUSE BILL NO. 2055,
- HOUSE BILL NO. 2079,
- SUBSTITUTE HOUSE BILL NO. 2087,
- ENGROSSED HOUSE BILL NO. 2113,
- SUBSTITUTE HOUSE BILL NO. 2115,
- SUBSTITUTE HOUSE BILL NO. 2118,
- SUBSTITUTE HOUSE BILL NO. 2129,
- HOUSE BILL NO. 2135,

SUBSTITUTE HOUSE BILL NO. 2209,
HOUSE BILL NO. 2236,
HOUSE BILL NO. 2240,
SUBSTITUTE HOUSE BILL NO. 2261,
SECOND SUBSTITUTE HOUSE BILL NO. 2262,
SECOND SUBSTITUTE HOUSE BILL NO. 2262,
SUBSTITUTE HOUSE BILL NO. 2275,
HOUSE BILL NO. 2281,
SUBSTITUTE HOUSE BILL NO. 2304,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2352,
HOUSE BILL NO. 2357,
SUBSTITUTE HOUSE BILL NO. 2366,
SUBSTITUTE HOUSE BILL NO. 2378,
SUBSTITUTE HOUSE BILL NO. 2394,
HOUSE JOINT MEMORIAL NO. 4017,
SUBSTITUTE SENATE BILL NO. 5002,
SENATE BILL NO. 5014,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5037,
SUBSTITUTE SENATE BILL NO. 5050,
SUBSTITUTE SENATE BILL NO. 5053,
SENATE BILL NO. 5084,
SENATE BILL NO. 5088,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5098,
SUBSTITUTE SENATE BILL NO. 5101,
SUBSTITUTE SENATE BILL NO. 5108,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5112,
SECOND SUBSTITUTE SENATE BILL NO. 5188,
SUBSTITUTE SENATE BILL NO. 5193,
SUBSTITUTE SENATE BILL NO. 5236,
SUBSTITUTE SENATE BILL NO. 5243,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5290,
SUBSTITUTE SENATE BILL NO. 5315,
SUBSTITUTE SENATE BILL NO. 5321,
SENATE BILL NO. 5332,
ENGROSSED SENATE BILL NO. 5401,
SENATE BILL NO. 5402,
SENATE BILL NO. 5429,
SUBSTITUTE SENATE BILL NO. 5447,
SECOND SUBSTITUTE SENATE BILL NO. 5467,
ENGROSSED SENATE BILL NO. 5498,
SUBSTITUTE SENATE BILL NO. 5503,
ENGROSSED SENATE BILL NO. 5508,
SENATE BILL NO. 5512,
SUBSTITUTE SENATE BILL NO. 5533,
SUBSTITUTE SENATE BILL NO. 5534,
SECOND SUBSTITUTE SENATE BILL NO. 5597,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5726,
SUBSTITUTE SENATE BILL NO. 5826,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5923,
SENATE CONCURRENT RESOLUTION NO. 8404,

MESSAGE FROM THE SENATE

April 17, 2007

Mr. Speaker:

The Senate concurred in the House amendments to the following bills and passed the bills as amended by the House:

SUBSTITUTE SENATE BILL NO. 5248,
SENATE BILL NO. 5552,
ENGROSSED SENATE BILL NO. 5669,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5843,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5894,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6001,

The Speaker (Representative Lovick presiding) called upon Representative Hudgins to preside.

MESSAGE FROM THE SENATE

April 5, 2007

Mr. Speaker:

The Senate has passed SECOND SUBSTITUTE HOUSE BILL NO. 1277 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 39.102.020 and 2006 c 181 s 102 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Annual state contribution limit" means ~~((five))~~ ten million dollars statewide per fiscal year.

(2) "Assessed value" means the valuation of taxable real property as placed on the last completed assessment roll.

(3) "Base year" means the first calendar year following the ~~((creation of a revenue development area. For a local government that meets the requirements of RCW 39.102.040(2), "base year" is the calendar year after it amends its ordinance as provided in RCW 39.102.040(2))~~ calendar year in which a sponsoring local government, and any cosponsoring local government, receives approval by the board for a project award, provided that the approval is granted before October 15th. If approval by the board is received on or after October 15th but on or before December 31st, the "base year" is the second calendar year following the calendar year in which a sponsoring local government, and any cosponsoring local government, receives approval by the board for a project award.

(4) "Board" means the community economic revitalization board under chapter 43.160 RCW.

(5) "Demonstration project" means one of the following projects:

- (a) Bellingham waterfront redevelopment project;
- (b) Spokane river district project at Liberty Lake; and
- (c) Vancouver riverwest project.

(6) "Department" means the department of revenue.

(7) "Fiscal year" means the twelve-month period beginning July 1st and ending the following June 30th.

(8) "Local excise taxes" means local revenues derived from the imposition of sales and use taxes authorized in RCW 82.14.030 at the tax rate that was in effect at the time the revenue development area was ~~((created))~~ approved by the board, except that if a local government reduces the rate of such tax after the revenue development area was ~~((created))~~ approved by the board, "local excise taxes" means the local revenues derived from the imposition of the sales and use taxes authorized in RCW 82.14.030 at the lower tax rate.

(9) "Local excise tax allocation revenue" means the amount of local excise taxes received by the local government during the measurement year from taxable activity within the revenue development area over and above the amount of local excise taxes received by the local government during the base year from taxable activity within the revenue development area, except that:

(a) If a sponsoring local government ~~((creates))~~ adopts a revenue development area and reasonably determines that no activity subject to tax under chapters 82.08 and 82.12 RCW occurred within the boundaries of the revenue development area in the twelve months immediately preceding the ((creation)) approval of the revenue development area ((within the boundaries of the area that became the revenue development area)) by the board, "local excise tax allocation revenue" means the entire amount of local excise taxes received by the sponsoring local government during a calendar year period beginning with the calendar year immediately following the ~~((creation))~~ approval of the revenue development area by the board and continuing with each measurement year thereafter; and

(b) For revenue development areas ~~((created))~~ approved by the board in calendar years 2006 and 2007 that do not meet the requirements in (a) of this subsection and if legislation is enacted in this state ~~((by July 1, 2006;))~~ during the 2007 legislative session that adopts the sourcing provisions of the streamlined sales and use tax agreement, "local excise tax allocation revenue" means the amount of local excise taxes received by the sponsoring local government during the measurement year from taxable activity within the revenue development area over and above an amount of local excise taxes received by the sponsoring local government during the 2007 or 2008 base year, as the case may be, adjusted by the department for any estimated impacts from retail sales and use tax sourcing changes effective ~~((July 1, 2007))~~ in 2008. The amount of base year adjustment determined by the department is final.

(10) "Local government" means any city, town, county, port district, and any federally recognized Indian tribe.

(11) "Local infrastructure financing" means the use of revenues received from local excise tax allocation revenues, local property tax allocation revenues, ~~((dedicated))~~ other revenues from local public sources, and revenues received from the local option sales and use tax authorized in RCW 82.14.475, ~~dedicated to pay either the principal and interest on bonds authorized under RCW 39.102.150 or to pay public improvement costs on a pay-as-you-go basis subject to section 14 of this act, or both.~~

(12) "Local property tax allocation revenue" means those tax revenues derived from the receipt of regular property taxes levied on the property tax allocation revenue value and used for local infrastructure financing.

(13)(a) "Revenues from local public sources" means ~~((federal and private monetary contributions, amounts of local excise tax allocation revenues, and amounts of local property tax allocation revenues dedicated by participating taxing districts and participating local governments for local infrastructure financing))~~:

(i) ~~Amounts of local excise tax allocation revenues and local property tax allocation revenues, dedicated by sponsoring local governments, participating local governments, and participating taxing districts, for local infrastructure financing; and~~

(ii) ~~Any other local revenues, except as provided in (b) of this subsection, including revenues derived from federal and private sources.~~

~~(b) Revenues from local public sources do not include any local funds derived from state grants, state loans, or any other state moneys including any local sales and use taxes credited against the state sales and use taxes imposed under chapter 82.08 or 82.12 RCW.~~

(14) "Low-income housing" means residential housing for low-income persons or families who lack the means which is necessary to enable them, without financial assistance, to live in decent, safe, and sanitary dwellings, without overcrowding. For the purposes of this subsection, "low income" means income that does not exceed eighty percent of the median family income for the standard metropolitan statistical area in which the revenue development area is located.

(15) "Measurement year" means a calendar year, beginning with the calendar year following the base year and each calendar year thereafter, that is used annually to measure state and local excise tax allocation revenues.

(16) "Ordinance" means any appropriate method of taking legislative action by a local government.

(17) "Participating local government" means a local government having a revenue development area within its geographic boundaries that has entered into a written agreement with a sponsoring local government as provided in RCW 39.102.080 to allow the use of all or some of its local excise tax allocation revenues or other revenues from local public sources dedicated for local infrastructure financing.

(18) "Participating taxing district" means a local government having a revenue development area within its geographic boundaries that has entered into a written agreement with a sponsoring local government as provided in RCW 39.102.080 to allow the use of some or all of its local property tax allocation revenues or other revenues from local public sources dedicated for local infrastructure financing.

(19)(a)(i) "Property tax allocation revenue value" means seventy-five percent of any increase in the assessed value of real property in a revenue development area resulting from:

~~(A) The placement of new construction, improvements(~~(or both))~~ to property, or both, on the assessment roll(~~s after the revenue development area is created~~), where the new construction (~~(or))~~ and improvements (~~(occur entirely after the revenue development area is created)~~) are initiated after the revenue development area is approved by the board;~~

~~(B) The cost of new housing construction, conversion, and rehabilitation improvements, when such cost is treated as new construction for purposes of chapter 84.55 RCW as provided in RCW 84.14.020, and the new housing construction, conversion, and rehabilitation improvements are initiated after the revenue development area is approved by the board;~~

~~(C) The cost of rehabilitation of historic property, when such cost is treated as new construction for purposes of chapter 84.55 RCW as provided in RCW 84.26.070, and the rehabilitation is initiated after the revenue development area is approved by the board.~~

~~(ii) Increases in the assessed value of real property in a revenue development area resulting from (a)(i)(A) through (C) of this subsection are included in the property tax allocation revenue value in the initial year. These same amounts are also included in the property tax allocation revenue value in subsequent years unless the property becomes exempt from property taxation.~~

~~(b) ((If any new construction added to the assessment rolls consists of entire buildings, "property tax allocation revenue value" includes seventy-five percent of any increase in the assessed value of the buildings in the years following their initial placement on the assessment rolls.~~

~~(c) "Property tax allocation revenue value" does not include any increase in the assessed value of improvements to property or new construction that do not consist of an entire building, occurring after their initial placement on the assessment rolls)) "Property tax allocation revenue value" includes seventy-five percent of any increase in the assessed value of new construction consisting of an entire building in the years following the initial year, unless the building becomes exempt from property taxation.~~

~~(c) Except as provided in (b) of this subsection, "property tax allocation revenue value" does not include any increase in the assessed value of real property after the initial year.~~

~~(d) There is no property tax allocation revenue value if the assessed value of real property in a revenue development area has not increased ((due to new construction or improvements to property occurring after the revenue development area is created)) as a result of any of the reasons specified in (a)(i)(A) through (C) of this subsection.~~

~~(e) For purposes of this subsection, "initial year" means:~~

~~(i) For new construction and improvements to property added to the assessment roll, the year during which the new construction and improvements are initially placed on the assessment roll;~~

~~(ii) For the cost of new housing construction, conversion, and rehabilitation improvements, when such cost is treated as new construction for purposes of chapter 84.55 RCW, the year when such cost is treated as new construction for purposes of levying taxes for collection in the following year; and~~

~~(iii) For the cost of rehabilitation of historic property, when such cost is treated as new construction for purposes of chapter 84.55 RCW, the year when such cost is treated as new construction for purposes of levying taxes for collection in the following year.~~

(20) "Taxing district" means a government entity that levies or has levied for it regular property taxes upon real property located within a proposed or approved revenue development area.

(21) "Public improvements" means:

(a) Infrastructure improvements within the revenue development area that include:

(i) Street, bridge, and road construction and maintenance, including highway interchange construction;

(ii) Water and sewer system construction and improvements, including wastewater reuse facilities;

(iii) Sidewalks, traffic controls, and streetlights;

(iv) Parking, terminal, and dock facilities;

(v) Park and ride facilities of a transit authority;

(vi) Park facilities and recreational areas, including trails; and

(vii) Storm water and drainage management systems;

(b) Expenditures for facilities and improvements that support affordable housing as defined in RCW 43.63A.510.

(22) "Public improvement costs" means the cost of: (a) Design, planning, acquisition including land acquisition, site preparation including land clearing, construction, reconstruction, rehabilitation, improvement, and installation of public improvements; (b) demolishing, relocating, maintaining, and operating property pending construction of public improvements; (c) the local government's portion of relocating utilities as a result of public improvements; (d) financing public improvements, including interest during construction, legal and other professional services, taxes, insurance, principal and interest costs on general indebtedness issued to finance public improvements, and any necessary reserves for general indebtedness; (e) assessments incurred in revaluing real property for the purpose of determining the property tax allocation revenue base value that are in excess of costs incurred by the assessor in accordance with the revaluation plan under chapter 84.41 RCW, and

the costs of apportioning the taxes and complying with this chapter and other applicable law; ~~((and))~~ (f) administrative expenses and feasibility studies reasonably necessary and related to these costs ~~((including related)); and (g) any of the above-described costs that may have been incurred before adoption of the ordinance authorizing the public improvements and the use of local infrastructure financing to fund the costs of the public improvements.~~

(23) "Regular property taxes" means regular property taxes as defined in RCW 84.04.140, except: (a) Regular property taxes levied by public utility districts specifically for the purpose of making required payments of principal and interest on general indebtedness; (b) regular property taxes levied by the state for the support of the common schools under RCW 84.52.065; and (c) regular property taxes authorized by RCW 84.55.050 that are limited to a specific purpose. "Regular property taxes" do not include excess property tax levies that are exempt from the aggregate limits for junior and senior taxing districts as provided in RCW 84.52.043.

(24) "Property tax allocation revenue base value" means the assessed value of real property located within a revenue development area for taxes levied in the year in which the revenue development area is ~~((created))~~ adopted for collection in the following year, plus one hundred percent of any increase in the assessed value of real property located within a revenue development area that is placed on the assessment rolls after the revenue development area is ~~((created))~~ adopted, less the property tax allocation revenue value.

(25) "Relocating a business" means the closing of a business and the reopening of that business, or the opening of a new business that engages in the same activities as the previous business, in a different location within a one-year period, when an individual or entity has an ownership interest in the business at the time of closure and at the time of opening or reopening. "Relocating a business" does not include the closing and reopening of a business in a new location where the business has been acquired and is under entirely new ownership at the new location, or the closing and reopening of a business in a new location as a result of the exercise of the power of eminent domain.

(26) "Revenue development area" means the geographic area ~~((created))~~ adopted by a sponsoring local government and approved by the board, from which local excise and property tax allocation revenues are derived for local infrastructure financing.

(27) "Small business" has the same meaning as provided in RCW 19.85.020.

(28) "Sponsoring local government" means a city, town, or county, and for the purpose of this chapter a federally recognized Indian tribe or any combination thereof, that ~~((creates))~~ adopts a revenue development area and applies to the board to use local infrastructure financing.

(29) "State contribution" means the lesser of:

(a) One million dollars;

(b) The state excise tax allocation revenue and state property tax allocation revenue received by the state during the preceding calendar year;

(c) The total amount of local excise tax allocation revenues, local property tax allocation revenues, and other revenues from local public sources, that are dedicated by a sponsoring local government, any participating local governments, and participating taxing districts, in the preceding calendar year to the payment of principal and interest on bonds issued under RCW 39.102.150 or to pay public improvement costs on a pay-as-you-go basis subject to section 14 of this act, or both; or

(d) The amount of project award granted by the board in the notice of approval to use local infrastructure financing under RCW 39.102.040.

(30) "State excise taxes" means revenues derived from state retail sales and use taxes under chapters 82.08 and 82.12 RCW, less the amount of tax distributions from all local retail sales and use taxes, other than the local sales and use taxes authorized by RCW 82.14.475, imposed on the same taxable events that are credited against the state retail sales and use taxes under chapters 82.08 and 82.12 RCW.

(31) "State excise tax allocation revenue" means the amount of state excise taxes received by the state during the measurement year from taxable activity within the revenue development area over and

above the amount of state excise taxes received by the state during the base year from taxable activity within the revenue development area, except that:

(a) If a sponsoring local government ~~((creates))~~ adopts a revenue development area and reasonably determines that no activity subject to tax under chapters 82.08 and 82.12 RCW occurred within the boundaries of the revenue development area in the twelve months immediately preceding the ~~((creation))~~ approval of the revenue development area ~~((within the boundaries of the area that became the revenue development area))~~ by the board, "state excise tax allocation revenue" means the entire amount of state excise taxes received by the state during a calendar year period beginning with the calendar year immediately following the ~~((creation))~~ approval of the revenue development area by the board and continuing with each measurement year thereafter; and

(b) For revenue development areas ~~((created))~~ approved by the board in calendar years 2006 and 2007 that do not meet the requirements in (a) of this subsection and if legislation is enacted in this state ~~((by July 1, 2006;))~~ during the 2007 legislative session that adopts the sourcing provisions of the streamlined sales and use tax agreement, "state excise tax allocation revenue" means the amount of state excise taxes received by the state during the measurement year from taxable activity within the revenue development area over and above an amount of state excise taxes received by the state during the 2007 or 2008 base year, as the case may be, adjusted by the department for any estimated impacts from retail sales and use tax sourcing changes effective ~~((July 1, 2007))~~ in 2008. The amount of base year adjustment determined by the department is final.

(32) "State property tax allocation revenue" means those tax revenues derived from the imposition of property taxes levied by the state for the support of common schools under RCW 84.52.065 on the property tax allocation revenue value.

(33) "Real property" has the same meaning as in RCW 84.04.090 and also includes any privately owned improvements located on publicly owned land that are subject to property taxation.

Sec. 2. RCW 39.102.040 and 2006 c 181 s 202 are each amended to read as follows:

(1) Prior to applying to the board to use local infrastructure financing, a sponsoring local government shall:

(a) Designate a revenue development area within the limitations in RCW 39.102.060;

(b) Certify that the conditions in RCW 39.102.070 are met;

(c) Complete the process in RCW 39.102.080;

(d) Provide public notice as required in RCW 39.102.100; and

(e) Pass an ordinance adopting the revenue development area as required in RCW 39.102.090.

(2) Any local government that has created an increment area under chapter 39.89 RCW ~~((that))~~ and has not issued bonds to finance any public improvement ~~((shall be))~~ may apply to the board and have its increment area considered for approval as a revenue development area under this chapter without ((creating)) adopting a new ((increment)) revenue development area under RCW 39.102.090 and 39.102.100 if it amends its ordinance to comply with RCW 39.102.090(1) and otherwise meets the conditions and limitations under this chapter.

(3) As a condition to imposing a sales and use tax under RCW 82.14.475, a sponsoring local government, including any cosponsoring local government seeking authority to impose a sales and use tax under RCW 82.14.475, must apply to the board and be approved for a project award amount. The application shall be in a form and manner prescribed by the board and include but not be limited to information establishing that the applicant is an eligible candidate to impose the local sales and use tax under RCW 82.14.475, the anticipated effective date for imposing the tax, the estimated number of years that the tax will be imposed, and the estimated amount of tax revenue to be received in each fiscal year that the tax will be imposed. The board shall make available forms to be used for this purpose. As part of the application, each applicant must provide to the board a copy of the ordinance or ordinances creating the revenue development area as required in RCW 39.102.090. A notice of approval to use local infrastructure financing shall contain a project award that represents the maximum

amount of state contribution that the applicant, including any cosponsoring local governments, can earn each year that local infrastructure financing is used. The total of all project awards shall not exceed the annual state contribution limit. The determination of a project award shall be made based on information contained in the application and the remaining amount of annual state contribution limit to be awarded. Determination of a project award by the board is final.

(4)(a) Sponsoring local governments, and any cosponsoring local governments, applying in calendar year 2007 for a competitive project award, must submit completed applications to the board no later than July 1, 2007. By September 15, 2007, in consultation with the department of revenue and the department of community, trade, and economic development, the board shall approve ~~((qualified))~~ competitive project~~(s, up to the annual state contribution limit)~~ awards from competitive applications submitted by the 2007 deadline. No more than two million five hundred thousand dollars in competitive project awards shall be approved in 2007. For projects not approved by the board in 2007, sponsoring and cosponsoring local governments may apply again to the board in 2008 for approval of a project.

(b) Sponsoring local governments, and any cosponsoring local governments, applying in calendar year 2008 for a competitive project award, must submit completed applications to the board no later than July 1, 2008. By September 18, 2008, in consultation with the department of revenue and the department of community, trade, and economic development, the board shall approve competitive project awards from competitive applications submitted by the 2008 deadline. No more than two million five hundred thousand dollars in competitive project awards shall be approved in 2008, except as provided in RCW 39.102.050(2). For projects not approved in 2008, sponsoring and cosponsoring local governments may apply again to the board for approval of a project.

(c) Sponsoring local governments, and any cosponsoring local governments, applying in calendar year 2009 for a competitive project award, must submit completed applications to the board no later than July 1, 2009. By September 15, 2009, in consultation with the department of revenue and the department of community, trade, and economic development, the board shall approve competitive project awards from competitive applications submitted by the 2009 deadline.

(d) Except as provided in RCW 39.102.050(2), a total of no more than seven million five hundred thousand dollars in competitive project awards shall be approved for local infrastructure financing. ~~((Except as provided in RCW 39.102.050, approvals shall be based on the following criteria))~~

(e) The project selection criteria and weighting developed prior to the effective date of this act for the application evaluation and approval process shall apply to applications received prior to November 1, 2007. In evaluating applications for a competitive project award after November 1, 2007, the board shall, in consultation with the Washington state economic development commission, develop the relative weight to be assigned to the following criteria:

~~((a))~~ (i) The ~~((project))~~ project's potential to enhance the sponsoring local government's regional and/or international competitiveness;

~~((b))~~ (ii) The project's ability to encourage mixed use and transit-oriented development and the redevelopment of a geographic area;

~~((c))~~ (iii) Achieving an overall distribution of projects statewide that reflect geographic diversity;

~~((d))~~ (iv) The estimated wages and benefits for the project is greater than the average labor market area;

~~((e))~~ (v) The estimated state and local net employment change over the life of the project;

~~((f))~~ (vi) The current economic health and vitality of the proposed revenue development area and the contiguous community and the estimated impact of the proposed project on the proposed revenue development area and contiguous community;

(vii) The estimated state and local net property tax change over the life of the project; ~~((and~~

~~((g))~~ (viii) The estimated state and local sales and use tax increase over the life of the project;

(ix) An analysis that shows that, over the life of the project, neither the local excise tax allocation revenues nor the local property tax allocation revenues will constitute more than eighty percent of the total local funds as described in RCW 39.102.020(29)(c); and

(x) If a project is located within an urban growth area, evidence that the project utilizes existing urban infrastructure and that the transportation needs of the project will be adequately met through the use of local infrastructure financing or other sources.

(f)(i) Except as provided in this subsection (4)(f), the board may not approve the use of local infrastructure financing within more than one revenue development area per county.

(ii) In a county in which the board has approved the use of local infrastructure financing, the use of such financing in additional revenue development areas may be approved, subject to the following conditions:

(A) The sponsoring local government is located in more than one county; and

(B) The sponsoring local government designates a revenue development area that comprises portions of a county within which the use of local infrastructure financing has not yet been approved.

(iii) In a county where the local infrastructure financing tool is authorized under RCW 39.102.050, the board may approve additional use of the local infrastructure financing tool.

(5) ~~((A revenue development area is considered created when the sponsoring local government, including any cosponsoring local government, has adopted an ordinance creating the revenue development area and the board has approved the sponsoring local government to use local infrastructure financing. If a sponsoring local government receives approval from the board after the fifteenth day of October to use local infrastructure financing, the revenue development area is considered created in the calendar year following the approval.))~~ Once the board has approved the sponsoring local government, and any cosponsoring local governments, to use local infrastructure financing, notification ~~((shall))~~ must be sent by the board to the sponsoring local government, and any cosponsoring local governments, authorizing the sponsoring local government, and any cosponsoring local governments, to impose the local sales and use tax authorized under RCW 82.14.475, subject to the conditions in RCW 82.14.475.

Sec. 3. RCW 39.102.050 and 2006 c 181 s 203 are each amended to read as follows:

(1) In addition to a competitive process, demonstration projects are provided to determine the feasibility of the local infrastructure financing tool. Notwithstanding RCW 39.102.040, the board shall approve each demonstration project ~~((before approving any other application))~~. Demonstration project applications must be received by the board no later than July 1, 2008. The Bellingham waterfront redevelopment project award shall not exceed one million dollars per year, the Spokane river district project award shall not exceed one million dollars per year, and the Vancouver riverwest project award shall not exceed five hundred thousand dollars per year. The board shall approve by September 15, 2007, demonstration project applications submitted no later than July 1, 2007. The board shall approve by September 18, 2008, demonstration project applications submitted by July 1, 2008.

(2) If before board approval of the final competitive project award in 2008, a demonstration project has not received approval by the board, the state dollars set aside for the demonstration project in subsection (1) of this section shall be available for the competitive application process. If a demonstration project has received a partial award before the approval of the final competitive project award, the remaining state dollars set aside for the demonstration project in subsection (1) of this section shall be available for the competitive process.

Sec. 4. RCW 39.102.060 and 2006 c 181 s 204 are each amended to read as follows:

The designation of a revenue development area is subject to the following limitations:

(1) The taxable real property within the revenue development area boundaries may not exceed one billion dollars in assessed value at the time the revenue development area is designated;

(2) The average assessed value per square foot of taxable land within the revenue development area boundaries, as of January 1st of the year the application is submitted to the board under RCW 39.102.040, may not exceed seventy dollars at the time the revenue development area is designated;

(3) ~~((No more than one revenue development area may be created in a county))~~ No revenue development area shall have within its geographic boundaries any part of a hospital benefit zone under chapter 39.100 RCW or any part of another revenue development area created under this chapter;

(4) A revenue development area is limited to contiguous tracts, lots, pieces, or parcels of land without the creation of islands of property not included in the revenue development area;

(5) The boundaries may not be drawn to purposely exclude parcels where economic growth is unlikely to occur;

(6) The public improvements financed through local infrastructure financing must be located in the revenue development area;

(7) A revenue development area cannot comprise an area containing more than twenty-five percent of the total assessed value of the taxable real property within the boundaries of the sponsoring local government, including any cosponsoring local government, at the time the revenue development area is designated;

(8) The boundaries of the revenue development area shall not be changed for the time period that local infrastructure financing is used; and

(9) A revenue development area cannot include any part of an increment area created under chapter 39.89 RCW, except those increment areas created prior to January 1, 2006.

Sec. 5. RCW 39.102.090 and 2006 c 181 s 207 are each amended to read as follows:

(1) To ~~((create))~~ adopt a revenue development area, a sponsoring local government, and any cosponsoring local government, must adopt an ordinance establishing the revenue development area that:

(a) Describes the public improvements proposed to be made in the revenue development area;

(b) Describes the boundaries of the revenue development area, subject to the limitations in RCW 39.102.060;

(c) Estimates the cost of the proposed public improvements and the portion of these costs to be financed by local infrastructure financing;

(d) Estimates the time during which local excise tax allocation revenues, local property tax allocation revenues, and other revenues from local public sources are to be used for local infrastructure financing;

(e) Provides the date when the use of local excise tax allocation revenues and local property tax allocation revenues will commence; and

(f) Finds that the conditions in RCW 39.102.070 are met and the findings in RCW 39.102.080 are complete.

(2) The sponsoring local government, and any cosponsoring local government, must hold a public hearing on the proposed financing of the public improvements in whole or in part with local infrastructure financing ~~((at least thirty days))~~ before passage of the ordinance establishing the revenue development area. The public hearing may be held by either the governing body of the sponsoring local government and the governing body of any cosponsoring local government, or by a committee of those governing bodies that includes at least a majority of the whole governing body or bodies. The public hearing is subject to the notice requirements in RCW 39.102.100.

(3) The sponsoring local government, and any cosponsoring local government, shall deliver a certified copy of the adopted ordinance to the county treasurer, the governing body of each participating local government and participating taxing district within which the revenue development area is located, the board, and the department.

Sec. 6. RCW 39.102.110 and 2006 c 181 s 301 are each amended to read as follows:

(1) A sponsoring local government or participating local government that has received approval by the board to use local infrastructure financing may use annually its local excise tax allocation revenues to finance public improvements in the revenue development area financed in whole or in part by local infrastructure financing. The use of local excise tax allocation revenues dedicated by participating local governments must cease ~~((when such allocation revenues are no longer necessary or obligated to pay bonds issued to finance the public improvements in the revenue development area))~~ on the date specified in the written agreement required in RCW 39.102.080(1), or if no date is specified then the date when the local tax under RCW 82.14.475 expires. Any participating local government is authorized to dedicate local excise tax allocation revenues to the sponsoring local government as authorized in RCW 39.102.080(1).

(2) A sponsoring local government shall provide the board accurate information describing the geographical boundaries of the revenue development area at the time of application. The information shall be provided in an electronic format or manner as prescribed by the department. The sponsoring local government shall ensure that the boundary information provided to the board and department is kept current.

(3) In the event a city annexes a county area located within a county-sponsored revenue development area, the city shall remit to the county the portion of the local excise tax allocation revenue that the county would have received had the area not been annexed to the county. The city shall remit such revenues until such time as the bonds issued under RCW 39.102.150 are retired.

Sec. 7. RCW 39.102.120 and 2006 c 181 s 302 are each amended to read as follows:

(1) Commencing in the second calendar year following ~~((the passage of the ordinance creating a revenue development area and authorizing the use of local infrastructure financing))~~ board approval of a revenue development area, the county treasurer shall distribute receipts from regular taxes imposed on real property located in the revenue development area as follows:

(a) Each participating taxing district and the sponsoring local government shall receive that portion of its regular property taxes produced by the rate of tax levied by or for the taxing district on the property tax allocation revenue base value for that local infrastructure financing project in the taxing district, or upon the total assessed value of real property in the taxing district, whichever is smaller; and

(b) The sponsoring local government shall receive an additional portion of the regular property taxes levied by it and by or for each participating taxing district upon the property tax allocation revenue value within the revenue development area. However, if there is no property tax allocation revenue value, the sponsoring local government shall not receive any additional regular property taxes under this subsection (1)(b). The sponsoring local government may agree to receive less than the full amount of the additional portion of regular property taxes under this subsection (1)(b) as long as bond debt service, reserve, and other bond covenant requirements are satisfied, in which case the balance of these tax receipts shall be allocated to the participating taxing districts that levied regular property taxes, or have regular property taxes levied for them, in the revenue development area for collection that year in proportion to their regular tax levy rates for collection that year. The sponsoring local government may request that the treasurer transfer this additional portion of the property taxes to its designated agent. The portion of the tax receipts distributed to the sponsoring local government or its agent under this subsection (1)(b) may only be expended to finance public improvement costs associated with the public improvements financed in whole or in part by local infrastructure financing.

(2) The county assessor shall allocate any increase in the assessed value of real property occurring in the revenue development area to the property tax allocation revenue value and property tax allocation revenue base value as appropriate. This section does not authorize revaluations of real property by the assessor for property taxation that are not made in accordance with the assessor's

revaluation plan under chapter 84.41 RCW or under other authorized revaluation procedures.

(3) The apportionment of increases in assessed valuation in a revenue development area, and the associated distribution to the sponsoring local government of receipts from regular property taxes that are imposed on the property tax allocation revenue value, must cease when property tax allocation revenues are no longer (~~necessary or~~) obligated to pay the costs of the public improvements. Any excess local property tax allocation revenues derived from regular property taxes and earnings on these tax allocation revenues, remaining at the time the allocation of tax receipts terminates, must be returned to the county treasurer and distributed to the participating taxing districts that imposed regular property taxes, or had regular property taxes imposed for it, in the revenue development area for collection that year, in proportion to the rates of their regular property tax levies for collection that year.

(4) The allocation to the revenue development area of portions of the local regular property taxes levied by or for each taxing district upon the property tax allocation revenue value within that revenue development area is declared to be a public purpose of and benefit to each such taxing district.

(5) The allocation of local property tax allocation revenues pursuant to this section shall not affect or be deemed to affect the rate of taxes levied by or within any taxing district or the consistency of any such levies with the uniformity requirement of Article VII, section 1 of the state Constitution.

(6) This section does not apply to those revenue development areas that include any part of an increment area created under chapter 39.89 RCW.

Sec. 8. RCW 82.14.475 and 2006 c 181 s 401 are each amended to read as follows:

(1) A sponsoring local government, and any cosponsoring local government, that has been approved by the board to use local infrastructure financing may impose a sales and use tax in accordance with the terms of this chapter and subject to the criteria set forth in this section. Except as provided in this section, the tax is in addition to other taxes authorized by law and shall be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the taxing jurisdiction of the sponsoring local government or cosponsoring local government. The rate of tax shall not exceed the rate provided in RCW 82.08.020(1), less the aggregate rates of any other local sales and use taxes imposed on the same taxable events that are credited against the state sales and use taxes imposed under chapters 82.08 and 82.12 RCW. The rate of tax may be changed only on the first day of a fiscal year as needed. Notice of rate changes must be provided to the department on the first day of March to be effective on July 1st of the next fiscal year.

(2) The tax authorized under subsection (1) of this section shall be credited against the state taxes imposed under chapter 82.08 or 82.12 RCW. The department shall perform the collection of such taxes on behalf of the sponsoring local government or cosponsoring local government at no cost to the sponsoring local government or cosponsoring local government and shall remit the taxes as provided in RCW 82.14.060.

(3)(a) No tax may be imposed under the authority of this section:

(i) Before July 1, 2008;

(ii) Before approval by the board under RCW 39.102.040; and

(iii) ~~((Except as provided in (b) of this subsection, unless) Before the sponsoring local government has received ((and dedicated to the payment of bonds authorized in RCW 39.102.150, in whole or in part, both)) local excise tax allocation revenues ((and)), local property tax allocation revenues, or both, during the preceding calendar year.~~

(b) ~~((The requirement to receive local property tax allocation revenues under (a) of this subsection is waived if the revenue development area coincides with or is contained entirely within the boundaries of an increment area adopted by a local government under the authority of chapter 39.89 RCW for the purposes of utilizing community revitalization financing.~~

~~—(c))~~ The tax imposed under this section shall expire when the bonds issued under the authority of RCW 39.102.150 are retired, but not more than twenty-five years after the tax is first imposed.

(4) An ordinance adopted by the legislative authority of a sponsoring local government or cosponsoring local government imposing a tax under this section shall provide that:

(a) The tax shall first be imposed on the first day of a fiscal year;

(b) The cumulative amount of tax received by the sponsoring local government, and any cosponsoring local government, in any fiscal year shall not exceed the amount of the state contribution;

(c) The tax shall cease to be distributed for the remainder of any fiscal year in which either:

(i) The amount of tax received by the sponsoring local government, and any cosponsoring local government, equals the amount of the state contribution;

(ii) The amount of revenue from taxes imposed under this section by all sponsoring and cosponsoring local governments equals the annual state contribution limit; or

(iii) The amount of tax received by the sponsoring local government equals the amount of project award granted in the approval notice described in RCW 39.102.040;

~~(d) ((Except when the requirement to receive local property tax allocation revenues is waived as provided in subsection (3)(b) of this section,)) Neither the local excise tax allocation revenues nor the local property tax allocation revenues ((can be)) may constitute more than eighty percent of the total local funds as described in RCW 39.102.020(29)(c). This requirement applies beginning January 1st of the fifth calendar year after the calendar year in which the sponsoring local government begins allocating local excise tax allocation revenues under RCW 39.102.110;~~

(e) The tax shall be distributed again, should it cease to be distributed for any of the reasons provided in (c) of this subsection, at the beginning of the next fiscal year, subject to the restrictions in this section; and

(f) Any revenue generated by the tax in excess of the amounts specified in (c) of this subsection shall belong to the state of Washington.

(5) If a county and city cosponsor a revenue development area, the combined rates of the city and county tax shall not exceed the rate provided in RCW 82.08.020(1), less the aggregate rates of any other local sales and use taxes imposed on the same taxable events that are credited against the state sales and use taxes imposed under chapters 82.08 and 82.12 RCW. The combined amount of distributions received by both the city and county may not exceed the state contribution.

(6) The department shall determine the amount of tax receipts distributed to each sponsoring local government, and any cosponsoring local government, imposing sales and use tax under this section and shall advise a sponsoring or cosponsoring local government when tax distributions for the fiscal year equal the amount of state contribution for that fiscal year as provided in subsection (8) of this section. Determinations by the department of the amount of tax distributions attributable to each sponsoring or cosponsoring local government are final and shall not be used to challenge the validity of any tax imposed under this section. The department shall remit any tax receipts in excess of the amounts specified in subsection (4)(c) of this section to the state treasurer who shall deposit the money in the general fund.

(7) If a sponsoring or cosponsoring local government fails to comply with RCW 39.102.140, no tax may be distributed in the subsequent fiscal year until such time as the sponsoring or cosponsoring local government complies and the department calculates the state contribution amount for such fiscal year.

(8) Each year, the amount of taxes approved by the department for distribution to a sponsoring or cosponsoring local government in the next fiscal year shall be equal to the state contribution and shall be no more than the total local funds as described in RCW 39.102.020(29)(c). The department shall consider information from reports described in RCW 39.102.140 when determining the amount of state contributions for each fiscal year. A sponsoring or cosponsoring local government shall not receive, in any fiscal year, more revenues from taxes imposed under the authority of this section than the amount approved annually by the department. The

department shall not approve the receipt of more distributions of sales and use tax under this section to a sponsoring or cosponsoring local government than is authorized under subsection (4) of this section.

(9) The amount of tax distributions received from taxes imposed under the authority of this section by all sponsoring and cosponsoring local governments is limited annually to not more than ~~((five))~~ ten million dollars. ~~((The tax distributions shall be available to the sponsoring local government, and any cosponsoring local government, imposing a tax under this section only as long as the sponsoring local government has outstanding indebtedness under RCW 39.102.150.))~~

(10) The definitions in RCW 39.102.020 apply to this section unless the context clearly requires otherwise.

(11) If a sponsoring local government is a federally recognized Indian tribe, the distribution of the sales and use tax authorized under this section shall be authorized through an interlocal agreement pursuant to chapter 39.34 RCW.

(12) Subject to section 14 of this act, the tax imposed under the authority of this section may be applied either to provide for the payment of debt service on bonds issued under RCW 39.102.150 by the sponsoring local government or to pay public improvement costs on a pay-as-you-go basis, or both.

(13) The tax imposed under the authority of this section shall cease to be imposed if the sponsoring local government or cosponsoring local government fails to issue bonds under the authority of RCW 39.102.150 by June 30th of the fifth fiscal year in which the local tax authorized under this section is imposed.

Sec. 9. RCW 39.102.140 and 2006 c 181 s 403 are each amended to read as follows:

(1) A sponsoring local government shall provide a report to the board and the department by March 1st of each year. The report shall contain the following information:

(a) The amount of local excise tax allocation revenues, ~~((and))~~ local property tax allocation revenues, other revenues from local public sources, and taxes under RCW 82.14.475~~((, and revenues from local public sources))~~ received by the sponsoring local government during the preceding calendar year that were dedicated to pay the public improvements financed in whole or in part with local infrastructure financing, and a summary of how these revenues were expended;

(b) The names of any businesses locating within the revenue development area as a result of the public improvements undertaken by the sponsoring local government and financed in whole or in part with local infrastructure financing;

(c) The total number of permanent jobs created in the revenue development area as a result of the public improvements undertaken by the sponsoring local government and financed in whole or in part with local infrastructure financing;

(d) The average wages and benefits received by all employees of businesses locating within the revenue development area as a result of the public improvements undertaken by the sponsoring local government and financed in whole or in part with local infrastructure financing; and

(e) That the sponsoring local government is in compliance with RCW 39.102.070.

(2) The board shall make a report available to the public and the legislature by June 1st of each year. The report shall include a list of public improvements undertaken by sponsoring local governments and financed in whole or in part with local infrastructure financing and it shall also include a summary of the information provided to the department by sponsoring local governments under subsection (1) of this section.

Sec. 10. RCW 39.102.150 and 2006 c 181 s 501 are each amended to read as follows:

(1) A sponsoring local government that has designated a revenue development area and been authorized the use of local infrastructure financing may incur general indebtedness, and issue general obligation bonds, to finance the public improvements and retire the indebtedness in whole or in part from local excise tax allocation revenues, local property tax allocation revenues, and sales and use

taxes imposed under the authority of RCW 82.14.475 that it receives, subject to the following requirements:

(a) The ordinance adopted by the sponsoring local government and authorizing the use of local infrastructure financing indicates an intent to incur this indebtedness and the maximum amount of this indebtedness that is contemplated; and

(b) The sponsoring local government includes this statement of the intent in all notices required by RCW ~~((39.102.090))~~ 39.102.100.

(2)(a) Except as provided in (b) of this subsection, the general indebtedness incurred under subsection (1) of this section may be payable from other tax revenues, the full faith and credit of the local government, and nontax income, revenues, fees, and rents from the public improvements, as well as contributions, grants, and nontax money available to the local government for payment of costs of the public improvements or associated debt service on the general indebtedness.

(b) A sponsoring local government that issues bonds under this section shall not pledge any money received from the state of Washington for the payment of such bonds, other than the local sales and use taxes imposed under the authority of RCW 82.14.475 and collected by the department.

(3) In addition to the requirements in subsection (1) of this section, a sponsoring local government designating a revenue development area and authorizing the use of local infrastructure financing may require the nonpublic participant to provide adequate security to protect the public investment in the public improvement within the revenue development area.

(4) Bonds issued under this section shall be authorized by ordinance of the governing body of the sponsoring local government and may be issued in one or more series and shall bear such date or dates, be payable upon demand or mature at such time or times, bear interest at such rate or rates, be in such denomination or denominations, be in such form either coupon or registered as provided in RCW 39.46.030, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption with or without premium, be secured in such manner, and have such other characteristics, as may be provided by such ordinance or trust indenture or mortgage issued pursuant thereto.

(5) The sponsoring local government may annually pay into a fund to be established for the benefit of bonds issued under this section a fixed proportion or a fixed amount of any local excise tax allocation revenues and local property tax allocation revenues derived from property or business activity within the revenue development area containing the public improvements funded by the bonds, such payment to continue until all bonds payable from the fund are paid in full. The local government may also annually pay into the fund established in this section a fixed proportion or a fixed amount of any revenues derived from taxes imposed under RCW 82.14.475, such payment to continue until all bonds payable from the fund are paid in full. Revenues derived from taxes imposed under RCW 82.14.475 are subject to the use restriction in RCW 39.102.130.

(6) In case any of the public officials of the sponsoring local government whose signatures appear on any bonds or any coupons issued under this chapter shall cease to be such officials before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such officials had remained in office until such delivery. Any provision of any law to the contrary notwithstanding, any bonds issued under this chapter are fully negotiable.

(7) Notwithstanding subsections (4) through (6) of this section, bonds issued under this section may be issued and sold in accordance with chapter 39.46 RCW.

Sec. 11. RCW 39.102.130 and 2006 c 181 s 402 are each amended to read as follows:

Money collected from the taxes imposed under RCW 82.14.475 ~~((shall))~~ may be used only for the purpose of ~~((principal and interest payments on bonds issued under the authority of RCW 39.102.150))~~ paying debt service on bonds issued under the authority of RCW 39.102.150 or to pay public improvement costs on a pay-as-you-go basis as provided in section 14 of this act, or both.

NEW SECTION. Sec. 12. RCW 39.102.180 (General indebtedness, general obligation bonds--Authority--Security) and 2006 c 181 s 504 are each repealed.

NEW SECTION. Sec. 13. A new section is added to chapter 39.102 RCW to read as follows:

The department of revenue and the community economic revitalization board may adopt any rules under chapter 34.05 RCW they consider necessary for the administration of this chapter.

NEW SECTION. Sec. 14. A new section is added to chapter 39.102 RCW to read as follows:

Local excise tax allocation revenues, local property tax allocation revenues, other revenues from local public sources, that are dedicated to local infrastructure financing, and revenues received from the local option sales and use tax authorized in RCW 82.14.475, may not be used to pay for public improvement costs on a pay-as-you-go basis after the date that the sponsoring local government that issued the bonds as provided in RCW 39.102.150 is required to begin paying debt service on those bonds.

NEW SECTION. Sec. 15. This act applies retroactively as well as prospectively.

NEW SECTION. Sec. 16. 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. 17. This act expires June 30, 2039."

On page 1, line 2 of the title, after "projects;" strike the remainder of the title and insert "amending RCW 39.102.020, 39.102.040, 39.102.050, 39.102.060, 39.102.090, 39.102.110, 39.102.120, 82.14.475, 39.102.140, 39.102.150, and 39.102.130; adding new sections to chapter 39.102 RCW; creating a new section; repealing RCW 39.102.180; and providing an expiration date."

as the same is herewith transmitted.

Thomas Hoemann, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendments to SECOND SUBSTITUTE HOUSE BILL NO. 1277, and asked the Senate to recede.

MESSAGE FROM THE SENATE

April 12, 2007

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1359 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that there is a large, unmet need for affordable housing in the state of Washington. The legislature declares that a decent, appropriate, and affordable home in a healthy, safe environment for every household should be a state goal. Furthermore, this goal includes increasing the percentage of households who are able to obtain and retain housing without government subsidies or other public support.

(2) The legislature finds that there are many root causes of the affordable housing shortage and declares that these causal factors should be eliminated.

(3) The legislature finds that the support and commitment of all sectors of the statewide community is critical to accomplishing the state's affordable housing for all goal. The legislature finds that the

provision of housing and housing-related services should be administered at the local level. However, the state should play a primary role in: Providing financial resources to achieve the goal at all levels of government; researching and evaluating statewide housing data; developing a state plan that integrates the strategies, goals, and objectives of all other state housing plans and programs; and coordinating and supporting county government plans and activities.

(4) The legislature declares that there is a state affordable housing goal of a decent, appropriate, and affordable home in a healthy, safe environment for every household in the state by 2020, as part of the statewide effort to end the affordable housing crisis.

NEW SECTION. Sec. 2. This chapter may be known and cited as the Washington affordable housing for all act.

NEW SECTION. Sec. 3. There is created within the department the state affordable housing for all program, which shall be funded by the affordable housing for all program surcharge provided for in RCW 36.22.178 (as recodified by this act) and all other sources directed to the affordable housing for all program. The goal of the program is a decent, appropriate, and affordable home in a healthy, safe environment for every very low-income household in the state by 2020. A priority must be placed upon achieving this goal for extremely low-income households. This goal includes increasing the percentage of households who access housing that is affordable for their income or wage level without government assistance by increasing the number of previously very low-income households who achieve self-sufficiency and economic independence. The goal also includes implementing strategies to keep the rising cost of housing below the relative rise in wages. The department shall develop and administer the affordable housing for all program. In the development and implementation of the program, the department shall consider: The funding level, number of county staff available to implement the program, and competency of each county to meet the goals of the program; and establish program guidelines and reporting requirements appropriate to the existing capacity of the participating counties.

NEW SECTION. Sec. 4. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Affordable housing" means residential housing, with monthly rental housing costs, including utilities other than telephone, which do not exceed thirty percent of the household's monthly income, that has a sales price within the means of a household that may occupy low, very low, and extremely low-income housing. The department shall adopt policies for residential homeownership housing, occupied by extremely low, very low, and low-income households, that specify the percentage of household income that may be spent on monthly housing costs, including utilities other than telephone, to qualify as affordable housing.

(2) "Department" means the department of community, trade, and economic development.

(3) "Director" means the director of the department of community, trade, and economic development.

(4) "First-time home buyer" means an individual or his or her spouse who have not owned a home during the three-year period prior to purchase of a home.

(5) "Nonprofit organization" means any public or private nonprofit organization that: (a) Is organized under federal, state, or local laws; (b) has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual; and (c) has among its purposes, significant activities related to the provision of decent housing that is affordable to extremely low-income, very low-income, low-income, or moderate-income households and special needs populations.

(6) "Regulatory barriers to affordable housing" and "regulatory barriers" mean any public policies, including those embodied in statutes, ordinances, regulations, or administrative procedures or processes, required to be identified by the state, cities, towns, or counties in connection with strategies under section 105(b)(4) of the

Cranston-Gonzalez national affordable housing act (42 U.S.C. Sec. 12701 et seq.).

(7) "Affordable housing for all account" means the account in the custody of the state treasurer receiving the state's portion of income from the revenue of sources established by RCW 36.22.178 (as recodified by this act) and all other sources directed to the affordable housing for all program.

(8) "Performance evaluation" means the process of evaluating the performance by established objective, measurable criteria according to the achievement of outlined goals, measures, targets, standards, or other outcomes using a ranked scorecard from highest to lowest performance which employs a scale of one to one hundred, one hundred being the optimal score.

(9) "Affordable housing for all program" means the program authorized under this chapter, utilizing the funding from the affordable housing for all program surcharge in RCW 36.22.178 (as recodified by this act), and all other sources directed to the affordable housing for all program, as administered by the department at the state level and by each county at the local level.

(10) "State affordable housing for all plan" or "state plan" means the plan developed by the department in collaboration with the affordable housing advisory board with the goal of ensuring that every very low-income household in Washington has a decent, appropriate, and affordable home in a healthy, safe environment by 2020.

(11) "Low-income household," for the purposes of the affordable housing for all program, means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median household income, adjusted for household size for the county where the project is located.

(12) "Very low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than fifty percent of the median family income, adjusted for household size for the county where the project is located.

(13) "Extremely low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than thirty percent of the median family income, adjusted for household size for the county where the project is located.

(14) "County" means a county government in the state of Washington or, except under RCW 36.22.178 (as recodified by this act), a city government or collaborative of city governments within that county if the county government declines to participate in the affordable housing program.

(15) "Local government" means a county or city government in the state of Washington or, except under RCW 36.22.178 (as recodified by this act), a city government or collaborative of city governments within that county if the county government declines to participate in the affordable housing program.

(16) "Authority" or "housing authority" means any of the public corporations created by RCW 35.82.030.

Sec. 5. RCW 43.185B.040 and 1993 c 478 s 12 are each amended to read as follows:

(1) The department shall, in consultation with the affordable housing advisory board created in RCW 43.185B.020, prepare and, from time to time, amend a ~~((five-year))~~ state affordable housing ((advisory)) for all plan. The state plan must incorporate strategies, objectives, and goals, including those required for the state homeless housing strategic plan required under RCW 43.185C.040. The state affordable housing for all plan may be combined with the state homeless housing strategic plan required under RCW 43.185C.040 or any other existing state housing plan as long as the requirements of all of the plans to be merged are met.

(2) The purpose of the state affordable housing for all plan is to:

(a) Document the need for affordable housing in the state and the extent to which that need is being met through public and private sector programs~~((-to))~~;

(b) Evaluate and report upon all counties' use of the affordable housing for all program surcharge funds provided for in RCW 36.22.178 (as recodified by this act) and all other sources directed to the counties' affordable housing for all programs;

(c) Report upon housing trust fund awards within the previous five-year period; and

~~(d) Facilitate state and county government planning to meet the state affordable housing ((needs of the state, and to enable the development of sound strategies and programs for affordable housing)) for all goal.~~

~~(3) The information in the ((five-year)) state affordable housing ((advisory)) for all plan must include:~~

~~(a) An assessment of the state's housing market trends;~~

~~(b) An assessment of the housing needs for ~~((att))~~ economic segments of the state by low-income, very low-income, and extremely low-income households and special needs populations, including a report on the number and percentage of additional affordable rental housing units that are needed statewide and in each county to house low-income, very low-income, and extremely low-income households;~~

~~(c) An inventory of the supply and geographic distribution of affordable housing rental units made available through public and private sector programs;~~

~~(d) A summary of the activities of all state housing programs, as well as all housing programs operated by or coordinated by city and county governments, including local housing-related levy initiatives, housing-related tax exemption programs, and federally funded programs operated or coordinated by the state or local governments;~~

~~(e) A status report on the degree of progress made by the public and private sector toward meeting the housing needs of the state, including each county or city required by the United States department of housing and urban development to produce a consolidated plan, and any other city or county where information is readily available;~~

~~((e))~~ ~~(f) An identification of state and local regulatory barriers to affordable housing and proposed regulatory and administrative techniques designed to remove barriers to the development and placement of affordable housing; ~~((and~~~~

~~(f))~~ ~~(g) An analysis, statewide and within each county and major city, of the primary contributors to the cost of housing and an outline of potential strategies to keep the increasing cost of housing below the relative rise in wages;~~

~~(h) Specific recommendations, policies, or proposals for meeting the affordable housing needs of the state;~~

~~(i) A report on the growth in the population of low-income, very low-income, and extremely low-income households statewide and for each county;~~

~~(j) A determination of the cost to the state of the affordable housing shortage;~~

~~(k) A report of any differences in the rates of inflation between median house prices, median rent for a two-bedroom apartment, and median family income for low-income, very low-income, and extremely low-income households; and~~

~~(l) A summary of the recommendations of the affordable housing advisory board report as required in RCW 43.185B.030.~~

~~((2(a)))~~ ~~(4) The ((five-year)) state affordable housing ((advisory)) for all plan required under ~~((subsection (1) of))~~ this section must be submitted to the appropriate committees of the legislature on or before ~~((February 1, 1994))~~ December 31, 2010, and subsequent updated plans must be submitted by December 31st every five years thereafter.~~

~~((b) Each February 1st, beginning February 1, 1995, the department shall submit an annual progress report, to the legislature, detailing the extent to which the state's affordable housing needs were met during the preceding year and recommendations for meeting those needs))~~

~~(5) Based on changes to the general population and in the housing market, the department may revise the goals of the state affordable housing for all plan and set goals for years following December 31, 2020.~~

Sec. 6. RCW 36.22.178 and 2005 c 484 s 18 are each amended to read as follows:

The surcharge provided for in this section shall be named the affordable housing for all program surcharge.

(1) Except as provided in subsection ~~((2))~~ ~~(3)~~ of this section, a surcharge of ten dollars per instrument shall be charged by the county auditor for each document recorded, which will be in addition to any other charge authorized by law. The county may retain up to

five percent of these funds collected solely for the collection, administration, and local distribution of these funds. Of the remaining funds, forty percent of the revenue generated through this surcharge will be transmitted monthly to the state treasurer who will deposit the funds into the ~~((Washington housing trust account))~~ affordable housing for all account created in section 7 of this act. ~~((The office of community development of the department of community, trade, and economic development will develop guidelines for the use of these funds to support))~~ The department of community, trade, and economic development must use these funds to provide housing and shelter for extremely low-income households, including but not limited to grants for building operation and maintenance costs of housing projects or units within housing projects that are affordable to extremely low-income ((persons)) households with incomes at or below thirty percent of the area median income, and that require a supplement to rent income to cover ongoing operating expenses.

(2) All of the remaining funds generated by this surcharge will be retained by the county and be deposited into a fund that must be used by the county and its cities and towns for eligible housing ~~((projects or units within housing projects that are affordable to))~~ activities as described in this subsection that serve very low-income ((persons)) households with incomes at or below fifty percent of the area median income. The portion of the surcharge retained by a county shall be allocated to eligible housing activities that serve extremely low and very low-income ((housing projects or units within such housing projects)) households in the county and the cities within a county according to an interlocal agreement between the county and the cities within the county consistent with countywide and local housing needs and policies. ((The funds generated with this surcharge shall not be used for construction of new housing if at any time the vacancy rate for available low-income housing within the county rises above ten percent. The vacancy rate for each county shall be developed using the state low-income vacancy rate standard developed under subsection (3) of this section. Uses of)) A priority must be given to eligible housing activities that serve extremely low-income households with incomes at or below thirty percent of the area median income. Eligible housing activities to be funded by these ((local)) county funds are limited to:

(a) Acquisition, construction, or rehabilitation of housing projects or units within housing projects that are affordable to very low-income ~~((persons))~~ households with incomes at or below fifty percent of the area median income, including units for homeownership, rental units, seasonal and permanent farm worker housing units, and single room occupancy units;

(b) Supporting building operation and maintenance costs of housing projects or units within housing projects eligible to receive housing trust funds, that are affordable to very low-income ~~((persons))~~ households with incomes at or below fifty percent of the area median income, and that require a supplement to rent income to cover ongoing operating expenses;

(c) Rental assistance vouchers for housing ~~((projects or))~~ units ((within housing projects)) that are affordable to very low-income ((persons)) households with incomes at or below fifty percent of the area median income, to be administered by a local public housing authority or other local organization that has an existing rental assistance voucher program, consistent with or similar to the United States department of housing and urban development's section 8 rental assistance voucher program standards; and

(d) Operating costs for emergency shelters and licensed overnight youth shelters.

~~((2))~~ (3) The surcharge imposed in this section does not apply to assignments or substitutions of previously recorded deeds of trust.

~~((3))~~ The real estate research center at Washington State University shall develop a vacancy rate standard for low-income housing in the state as described in RCW 18.85.540(1)(i))

(4) All counties shall report at least annually upon receipts and expenditures of the affordable housing for all program surcharge funds created in this section to the department. The department may require more frequent reports. The report must include the amount of funding generated by the surcharge, the total amount of funding distributed to date, the amount of funding allocated to each eligible housing activity, a description of each eligible housing activity

funded, including information on the income or wage level and numbers of extremely low, very low, and low-income households the eligible housing activity is intended to serve, and the outcome or anticipated outcome of each eligible housing activity.

NEW SECTION. Sec. 7. The affordable housing for all account is created in the state treasury, subject to appropriation. The state's portion of the surcharges established in RCW 36.22.178 (as recodified by this act) shall be deposited in the account, as well as all other sources directed to the affordable housing for all program. Expenditures from the account may only be used for affordable housing programs.

NEW SECTION. Sec. 8. This chapter does not require either the department or any local government to expend any funds to accomplish the goals of this chapter other than the revenues authorized in this act and other revenue that may be appropriated by the legislature for these purposes. However, neither the department nor any local government may use any funds authorized in this act to supplant or reduce any existing expenditures of public money to address the affordable housing shortage.

NEW SECTION. Sec. 9. (1) The department, the Washington state housing finance commission, the affordable housing advisory board, and all county governments, housing authorities, and other nonprofit organizations receiving state funds, county affordable housing for all surcharge funds, county homeless housing surcharge funds as authorized in RCW 36.22.179 (as recodified by this act), or financing through the housing finance commission shall, by December 31, 2007, and annually thereafter, review current housing reporting requirements related to housing programs and services and give recommendations to the legislature to streamline and simplify all planning and reporting requirements. The entities listed in this section shall also give recommendations for additional legislative actions that could promote the affordable housing for all goal.

(2) The department shall collaborate with the Washington state housing finance commission and representatives from statewide organizations representing counties, cities, housing authorities, nonprofit groups involved in affordable housing, and other interested parties, to create a strategy to streamline and, when possible, consolidate state, city, town, and county reporting requirements to address the inefficiencies associated with multiple reporting requirements. The department shall present the strategy to the appropriate committees of the legislature by December 31, 2007.

Sec. 10. RCW 43.63A.650 and 1999 c 267 s 3 are each amended to read as follows:

(1) The department shall be the principal state department responsible for coordinating federal and state resources and activities in housing, except for programs administered by the Washington state housing finance commission under chapter 43.180 RCW, and for evaluating the operations and accomplishments of other state departments and agencies as they affect housing, except for programs administered by the Washington state housing finance commission under chapter 43.180 RCW.

(2) The department shall work with ~~((local governments))~~ cities, towns, counties, tribal organizations, local housing authorities, nonprofit community or neighborhood-based organizations, and regional or statewide nonprofit housing assistance organizations, for the purpose of coordinating federal and state resources with local resources for housing.

(3) The department shall be the principal state department responsible for providing shelter and housing services to homeless families with children. The department shall have the principal responsibility to coordinate, plan, and oversee the state's activities for developing a coordinated and comprehensive plan to serve homeless families with children. The plan shall be developed collaboratively with the department of social and health services. The department shall include community organizations involved in the delivery of services to homeless families with children, and experts in the development and ongoing evaluation of the plan. The department shall follow professionally recognized standards and procedures. The plan shall be implemented within amounts appropriated by the

legislature for that specific purpose in the operating and capital budgets. The department shall submit the plan to the appropriate committees of the senate and house of representatives no later than September 1, 1999, and shall update the plan and submit it to the appropriate committees of the legislature by January 1st of every odd-numbered year through 2007. The plan shall address at least the following: (a) The need for prevention assistance; (b) the need for emergency shelter; (c) the need for transitional assistance to aid families into permanent housing; (d) the need for linking services with shelter or housing; and (e) the need for ongoing monitoring of the efficiency and effectiveness of the plan's design and implementation.

Sec. 11. RCW 43.185C.005 and 2005 c 484 s 1 are each amended to read as follows:

Despite laudable efforts by all levels of government, private individuals, nonprofit organizations, and charitable foundations to end homelessness, the number of homeless persons in Washington is unacceptably high. The state's homeless population, furthermore, includes a large number of families with children, youth, and employed persons. The legislature finds that the fiscal and societal costs of homelessness are high for both the public and private sectors, and that ending homelessness ~~((should))~~ must be a goal for state and local government.

The legislature finds that there are many causes of homelessness, including a shortage of affordable housing; a shortage of family-wage jobs which undermines housing affordability; a lack of an accessible and affordable health care system available to all who suffer from physical and mental illnesses and chemical and alcohol dependency; domestic violence; ~~((and))~~ a lack of education and job skills necessary to acquire adequate wage jobs in the economy of the twenty-first century; inadequate availability of services for citizens with mental illness and developmental disabilities living in the community; and the difficulties faced by formerly institutionalized persons in reintegrating to society and finding stable employment and housing.

The support and commitment of all sectors of the statewide community is critical to the chances of success in ending homelessness in Washington. While the provision of housing and housing-related services to the homeless should be administered at the local level to best address specific community needs, the legislature also recognizes the need for the state to play a primary coordinating, supporting, ~~((and))~~ monitoring, and evaluating role. There must be a clear assignment of responsibilities and a clear statement of achievable and quantifiable goals. Systematic statewide data collection on ~~((homelessness))~~ homeless individuals in Washington must be a critical component of such a program enabling the state to work with local governments not only to count all homeless people in the state, but to record and manage information about homeless persons ((and)) in order to assist them in finding housing and other supportive services.

The systematic collection and rigorous evaluation of homeless data, a nationwide search for and implementation through adequate resource allocation of best practices, and the systematic measurement of progress toward interim goals and the ultimate goal of ending homelessness are all necessary components of a statewide effort to end homelessness in Washington by July 1, 2015.

Sec. 12. RCW 43.185C.040 and 2005 c 484 s 7 are each amended to read as follows:

(1) ~~((Six months after the first Washington homeless census;))~~ The department shall, in consultation with the interagency council on homelessness, the state advisory council on homelessness, and the affordable housing advisory board, prepare and ~~((publish a ten-year homeless housing))~~ annually update a state homeless housing strategic plan which ((shall)) must outline statewide goals and performance measures ((and shall be coordinated with the plan for homeless families with children required under RCW 43.63A.650. To guide local governments in preparation of their first local homeless housing plans due December 31, 2005, the department shall issue by October 15, 2005, temporary guidelines consistent with this chapter and including the best available data on each community's homeless population)). Local governments' ~~((ten-year homeless~~

housing)) homeless housing plans ((shall not)) must include all of the performance measures included in the state homeless housing strategic plan and must be substantially ((inconsistent)) consistent with the goals and program recommendations of ((the temporary guidelines and, when amended after 2005;)) the state homeless housing strategic plan.

(2) Program outcomes and performance measures and goals ~~((shall))~~ must be created by the department and reflected in the department's ~~((homeless housing))~~ state homeless housing strategic plan ((as well as)) and all local homeless housing plans.

(3) Interim goals against which state and local governments' performance may be measured must also be described and reported upon in the state homeless housing strategic plan, including:

~~((a))~~ (a) ((By the end of year one, completion of the first census as described in RCW 43.185C.030;

~~((b))~~ (b) By the end of each subsequent year, goals common to all state and local programs which are measurable and the achievement of which would move that community toward housing its homeless population; and

~~((c))~~ (c) By July 1, 2015, reduction of the homeless population statewide and in each county by fifty percent.

~~((d))~~ (4) The department shall develop a consistent statewide data gathering instrument to monitor the performance of cities and counties receiving homeless housing grants in order to determine compliance with the terms and conditions set forth in the homeless housing grant application or required by the department.

(5) The department shall, in consultation with the interagency council on homelessness, the state advisory council on homelessness, and the affordable housing advisory board, report annually to the governor and the appropriate committees of the legislature ~~((an assessment of))~~ the fiscal and societal costs of the homeless crisis, including identifying, to the extent practical, savings in state and local program costs that could be obtained through the achievement of stable housing for the clients served by those programs.

(6) The department shall also deliver a summary annual report, including information about:

~~((a))~~ (a) All state programs addressing homeless housing and services;

~~((b))~~ (b) The state's performance in furthering the goals of the state ((ten-year)) homeless housing strategic plan; and

~~((c))~~ (c) The performance of each participating local government in creating and executing a local homeless housing plan ((which)) that meets the requirements of this chapter. ((The annual report may include performance measures such as:

~~((a))~~ (a) The reduction in the number of homeless individuals and families from the initial count of homeless persons;

~~((b))~~ (b) The number of new units available and affordable for homeless families by housing type;

~~((c))~~ (c) The number of homeless individuals identified who are not offered suitable housing within thirty days of their request or identification as homeless;

~~((d))~~ (d) The number of households at risk of losing housing who maintain it due to a preventive intervention;

~~((e))~~ (e) The transition time from homelessness to permanent housing;

~~((f))~~ (f) The cost per person housed at each level of the housing continuum;

~~((g))~~ (g) The ability to successfully collect data and report performance;

~~((h))~~ (h) The extent of collaboration and coordination among public bodies, as well as community stakeholders, and the level of community support and participation;

~~((i))~~ (i) The quality and safety of housing provided; and

~~((j))~~ (j) The effectiveness of outreach to homeless persons, and their satisfaction with the program.

~~((4))~~ (7) The state homeless housing plan must also include a response to each recommendation included in the local homeless housing plans for policy changes to assist in ending homelessness and a summary of the recommendations to the legislature to streamline and simplify all housing planning and reporting requirements, as required in section 9 of this act.

(8) Based on the performance of local homeless housing programs in meeting their interim goals, on general population changes and on changes in the homeless population recorded in the

(~~annual~~) census, the department may revise the performance measures and goals of the state homeless housing strategic plans, set goals for years following the initial ten-year period, and recommend changes in local governments' homeless housing plans.

Sec. 13. RCW 43.185C.050 and 2005 c 484 s 8 are each amended to read as follows:

(1)(a)(i) Each local homeless housing task force shall prepare and recommend to its local government legislative authority a ~~((ten-year))~~ local homeless housing plan for its jurisdictional area ~~((which shall be not inconsistent))~~ that is consistent with the department's ~~((statewide temporary guidelines, for the December 31, 2005, plan, and thereafter the department's ten-year homeless housing))~~ state homeless housing strategic plan and ((which shall be)) is aimed at eliminating homelessness, with a minimum goal of reducing homelessness by fifty percent by July 1, 2015. ((The local government may amend the proposed local plan and shall adopt a plan by December 31, 2005. Performance in meeting the goals of this local plan shall be assessed annually in terms of the performance measures published by the department.))

(ii) Local plans must include specific strategic objectives, consistent with the state plan, and must include corresponding action plans. Local plans must address identified strategies to meet the needs of all homeless populations, including chronic homeless, short-term homeless, families, individuals, and youth. Each local plan must include the total estimated cost of accomplishing the goals of the plan to reduce homelessness by fifty percent by July 1, 2015, and must include an accounting of total committed funds for this purpose.

(b)(i) The department must conduct an annual performance evaluation of each local plan by December 31st of each year beginning in 2007. The department must also conduct an annual performance evaluation of each local government's performance related to its local plan by December 31st of each year beginning in 2007.

(ii) Local plans may include specific local performance measures adopted by the local government legislative authority(;) and ((may)) must include recommendations for ((any)) state legislation needed to meet the state or local plan goals. The recommendations must be specific and must, if funding is required, include an estimated amount of funding required and suggestions for an appropriate funding source.

(2) Eligible activities under the local plans include:

(a) Rental and furnishing of dwelling units for the use of homeless persons;

(b) Costs of developing affordable housing for homeless persons, and services for formerly homeless individuals and families residing in transitional housing or permanent housing and still at risk of homelessness;

(c) Operating subsidies for transitional housing or permanent housing serving formerly homeless families or individuals;

(d) Services to prevent homelessness, such as emergency eviction prevention programs, including temporary rental subsidies to prevent homelessness;

(e) Temporary services to assist persons leaving state institutions and other state programs to prevent them from becoming or remaining homeless;

(f) Outreach services for homeless individuals and families;

(g) Development and management of local homeless housing plans, including homeless census data collection(;) and information, identification of goals, performance measures, strategies, and costs, and evaluation of progress towards established goals;

(h) Rental vouchers payable to landlords for persons who are homeless or below thirty percent of the median income or in immediate danger of becoming homeless; and

(i) Other activities to reduce and prevent homelessness as identified for funding in the local plan.

Sec. 14. RCW 43.185C.080 and 2005 c 484 s 12 are each amended to read as follows:

(1) ~~((Only a local government is eligible to receive a homeless housing grant from the homeless housing account. Any city may assert responsibility for homeless housing within its borders if it so chooses, by forwarding a resolution to the legislative authority of the~~

~~county stating its intention and its commitment to operate a separate homeless housing program. The city shall then receive a percentage of the surcharge assessed under RCW 36.22.179 equal to the percentage of the city's local portion of the real estate excise tax collected by the county. A participating city may also then apply separately for homeless housing program grants. A city choosing to operate a separate homeless housing program shall be responsible for complying with all of the same requirements as counties and shall adopt a local homeless housing plan meeting the requirements of this chapter for county local plans. However, the city may by resolution of its legislative authority accept the county's homeless housing task force as its own and based on that task force's recommendations adopt a homeless housing plan specific to the city.~~

~~((2))~~ (2) Local governments ((applying for homeless housing funds)) may subcontract with any other local government, housing authority, community action agency, or other nonprofit organization for the execution of programs contributing to the overall goal of ending homelessness within a defined service area. All subcontracts ((shall)) must be consistent with the local homeless housing plan adopted by the legislative authority of the local government, time limited, and filed with the department, and ((shall)) must have specific performance terms. While a local government has the authority to subcontract with other entities, the local government continues to maintain the ultimate responsibility for the homeless housing program within its ((borders)) jurisdiction.

~~((3))~~ (2) A county may decline to participate in the homeless housing program authorized in this chapter by forwarding to the department a resolution adopted by the county legislative authority stating the intention not to participate. A copy of the resolution ((shall)) must also be transmitted to the county auditor and treasurer. If ((such a)) the resolution is adopted, all of the funds otherwise due to the county under RCW ~~((43.185C.060))~~ 36.22.179 (as recodified by this act) and section 17 of this act, minus funds due to any city that has chosen to participate through the process established in subsection (3) of this section, must be remitted monthly to the state treasurer for deposit in the ((homeless housing)) home security fund account, without any reduction by the county for collecting or administering the funds. Upon receipt of the resolution, the department shall promptly begin to identify and contract with one or more entities eligible under this section to create and execute a local homeless housing plan for the county meeting the requirements of this chapter. The department shall expend all of the funds received from the county under this subsection to carry out the purposes of this chapter ((484, Laws of 2005)) in the county, ((provided that)) but the department may retain six percent of these funds to offset the cost of managing the county's program.

(3) Any city may assert responsibility for homeless housing within its borders, by forwarding a resolution to the legislative authority of the county stating its intention and its commitment to operate a separate homeless housing program. A city choosing to operate a separate homeless housing program receives a percentage of the surcharge assessed under RCW 36.22.179 (as recodified by this act) and under section 17 of this act equal to the percentage of the city's local portion of the real estate excise tax collected by the county. A participating city may also then apply separately for homeless housing grants. A city choosing to operate a separate homeless housing program must comply with all of the same requirements as counties and shall adopt a local homeless housing plan meeting the requirements of this chapter for local homeless housing plans.

(4) A resolution by the county declining to participate in the program ((shall have)) has no effect on the ((ability)) authority of each city in the county to assert its right to manage its own program under this chapter, and the county shall monthly transmit to ((the)) any such city the funds due under ((this chapter)) RCW 36.22.179 (as recodified by this act) and section 17 of this act.

Sec. 15. RCW 43.185C.160 and 2005 c 485 s 1 are each amended to read as follows:

(1) Each county shall create a homeless housing task force to develop a ~~((ten-year))~~ homeless housing plan addressing short-term and long-term services and housing ((for homeless persons)) to prevent and reduce homelessness by fifty percent by 2015.

Membership on the task force may include representatives of the counties, cities, towns, housing authorities, civic and faith organizations, schools, community networks, human services providers, law enforcement personnel, criminal justice personnel, including prosecutors, probation officers, and jail administrators, substance abuse treatment providers, mental health care providers, emergency health care providers, businesses, at-large representatives of the community, and a homeless or formerly homeless individual.

In lieu of creating a new task force, a local government may designate an existing governmental or nonprofit body (~~(which)~~) that substantially conforms to this section and (~~(which)~~) includes at least one homeless or formerly homeless individual to serve as its homeless representative. As an alternative to a separate plan, two or more local governments may work in concert to develop and execute a joint homeless housing plan, or to contract with another entity to do so according to the requirements of this chapter. While a local government has the authority to subcontract with other entities, the local government continues to maintain the ultimate responsibility for the homeless housing program within its borders.

~~((A county may decline to participate in the program authorized in this chapter by forwarding to the department a resolution adopted by the county legislative authority stating the intention not to participate. A copy of the resolution shall also be transmitted to the county auditor and treasurer. If a county declines to participate, the department shall create and execute a local homeless housing plan for the county meeting the requirements of this chapter.))~~

(2) In addition to developing a (~~(ten-year)~~) homeless housing plan, each task force shall establish guidelines consistent with the (~~(statewide)~~) state homeless housing strategic plan, as needed, for the following:

- (a) Emergency shelters;
- (b) Short-term housing needs;
- (c) Temporary encampments;
- (d) Rental voucher programs;
- ~~(e) Supportive housing for chronically homeless persons; (and~~
- ~~(e)) (f) Long-term housing; and~~
- ~~(g) Prevention services.~~

Guidelines must include, when appropriate, standards for health and safety and notifying the public of proposed facilities to house the homeless.

(3) Each county (~~(including counties exempted from creating a new task force under subsection (1) of this section.))~~ shall report to the department of community, trade, and economic development (~~(such)~~) any information (~~(as may be)~~) needed to ensure compliance with this chapter.

Sec. 16. RCW 36.22.179 and 2005 c 484 s 9 are each amended to read as follows:

(1) In addition to the surcharge authorized in RCW 36.22.178 (as recodified by this act), and except as provided in subsection (2) of this section, an additional surcharge of ten dollars shall be charged by the county auditor for each document recorded, which will be in addition to any other charge allowed by law. The funds collected pursuant to this section are to be distributed and used as follows:

(a) The auditor shall retain two percent for collection of the fee, and of the remainder shall remit sixty percent to the county to be deposited into a fund that must be used by the county and its cities and towns to accomplish the purposes of this chapter (~~(484, Laws of 2005)~~), six percent of which may be used by the county for administrative costs related to its homeless housing plan, and the remainder for programs which directly accomplish the goals of the county's local homeless housing plan, except that for each city in the county which elects as authorized in RCW 43.185C.080 to operate its own local homeless housing program, a percentage of the surcharge assessed under this section equal to the percentage of the city's local portion of the real estate excise tax collected by the county shall be transmitted at least quarterly to the city treasurer, without any deduction for county administrative costs, for use by the city for program costs which directly contribute to the goals of the city's local homeless housing plan; of the funds received by the city, it may use six percent for administrative costs for its homeless housing program.

(b) The auditor shall remit the remaining funds to the state treasurer for deposit in the (~~(homeless housing))~~ home security fund

account. The department may use twelve and one-half percent of this amount for administration of the program established in RCW 43.185C.020, including the costs of creating the statewide homeless housing strategic plan, measuring performance, providing technical assistance to local governments, and managing the homeless housing grant program. The remaining eighty-seven and one-half percent is to be (~~(distributed by the department to local governments through the homeless housing grant program))~~ used by the department to:

(i) Provide housing and shelter for homeless people including, but not limited to: Grants to operate, repair, and staff shelters; grants to operate transitional housing; partial payments for rental assistance; consolidated emergency assistance; overnight youth shelters; and emergency shelter assistance; and

(ii) Fund the homeless housing grant program.

(2) The surcharge imposed in this section does not apply to assignments or substitutions of previously recorded deeds of trust.

NEW SECTION. Sec. 17. A new section is added to chapter 43.185C RCW to read as follows:

(1) In addition to the surcharges authorized in RCW 36.22.178 and 36.22.179 (as recodified by this act), and except as provided in subsection (2) of this section, the county auditor shall charge an additional surcharge of two dollars for each document recorded, which is in addition to any other charge allowed by law. The funds collected under this section are to be distributed and used as follows:

(a) The auditor shall remit ninety percent to the county to be deposited into a fund six percent of which may be used by the county for administrative costs related to its homeless housing plan, and the remainder for programs that directly accomplish the goals of the county's local homeless housing plan, except that for each city in the county that elects, as authorized in RCW 43.185C.080(3), to operate its own homeless housing program, a percentage of the surcharge assessed under this section equal to the percentage of the city's local portion of the real estate excise tax collected by the county must be transmitted at least quarterly to the city treasurer for use by the city for program costs that directly contribute to the goals of the city's homeless housing plan.

(b) The auditor shall remit the remaining funds to the state treasurer for deposit in the home security fund account. The department may use the funds for administering the program established in RCW 43.185C.020, including the costs of creating and updating the statewide homeless housing strategic plan, implementing and managing the Washington homeless client management information system established in RCW 43.185C.180, measuring performance, providing technical assistance to local governments, and managing the homeless housing grant program. Remaining funds may also be used to:

(i) Provide housing and shelter for homeless people including, but not limited to: Grants to operate, repair, and staff shelters; grants to operate transitional housing; partial payments for rental assistance; consolidated emergency assistance; overnight youth shelters; and emergency shelter assistance; and

(ii) Fund the homeless housing grant program.

(2) The surcharge imposed in this section does not apply to assignments or substitutions of previously recorded deeds of trust.

Sec. 18. RCW 36.18.010 and 2005 c 484 s 19 and 2005 c 374 s 1 are each reenacted and amended to read as follows:

County auditors or recording officers shall collect the following fees for their official services:

(1) For recording instruments, for the first page eight and one-half by fourteen inches or less, five dollars; for each additional page eight and one-half by fourteen inches or less, one dollar. The fee for recording multiple transactions contained in one instrument will be calculated for each transaction requiring separate indexing as required under RCW 65.04.050 as follows: The fee for each title or transaction is the same fee as the first page of any additional recorded document; the fee for additional pages is the same fee as for any additional pages for any recorded document; the fee for the additional pages may be collected only once and may not be collected for each title or transaction;

(2) For preparing and certifying copies, for the first page eight and one-half by fourteen inches or less, three dollars; for each

additional page eight and one-half by fourteen inches or less, one dollar;

(3) For preparing noncertified copies, for each page eight and one-half by fourteen inches or less, one dollar;

(4) For administering an oath or taking an affidavit, with or without seal, two dollars;

(5) For issuing a marriage license, eight dollars, (this fee includes taking necessary affidavits, filing returns, indexing, and transmittal of a record of the marriage to the state registrar of vital statistics) plus an additional five-dollar fee for use and support of the prevention of child abuse and neglect activities to be transmitted monthly to the state treasurer and deposited in the state general fund plus an additional ten-dollar fee to be transmitted monthly to the state treasurer and deposited in the state general fund. The legislature intends to appropriate an amount at least equal to the revenue generated by this fee for the purposes of the displaced homemaker act, chapter 28B.04 RCW;

(6) For searching records per hour, eight dollars;

(7) For recording plats, fifty cents for each lot except cemetery plats for which the charge shall be twenty-five cents per lot; also one dollar for each acknowledgment, dedication, and description: PROVIDED, That there shall be a minimum fee of twenty-five dollars per plat;

(8) For recording of miscellaneous records not listed above, for the first page eight and one-half by fourteen inches or less, five dollars; for each additional page eight and one-half by fourteen inches or less, one dollar;

(9) For modernization and improvement of the recording and indexing system, a surcharge as provided in RCW 36.22.170;

(10) For recording an emergency nonstandard document as provided in RCW 65.04.047, fifty dollars, in addition to all other applicable recording fees;

(11) For recording instruments, a surcharge as provided in RCW 36.22.178 (as recodified by this act); ~~((and~~

~~((+2)))~~ (12) For recording instruments, except for documents recording a birth, marriage, divorce, or death or any documents otherwise exempted from a recording fee under state law, a surcharge as provided in RCW 36.22.179 (as recodified by this act); and

(13) For recording instruments, except for documents recorded by the department of revenue, the department of labor and industries, and the employment security department and for documents recording a birth, marriage, divorce, or death or any documents otherwise exempted from a recording fee under state law, a surcharge as provided in section 17 of this act.

Sec. 19. RCW 43.185C.150 and 2005 c 484 s 21 are each amended to read as follows:

This chapter does not require either the department or any local government to expend any funds to accomplish the goals of this chapter other than the revenues authorized in ~~((chapter 484, Laws of 2005))~~ RCW 36.22.179 (as recodified by this act) and the revenues authorized in section 17 of this act. However, neither the department nor any local government may use any funds authorized in ~~((chapter 484, Laws of 2005))~~ RCW 36.22.179 (as recodified by this act) or the revenues authorized in section 17 of this act to supplant or reduce any existing expenditures of public money for the reduction or prevention of homelessness or services for homeless persons. Any costs associated with any new planning, evaluating, and reporting requirements of the department for the homeless housing and assistance program included in this chapter shall not be funded by the document recording fee surcharges authorized by RCW 36.22.178 and 36.22.179 (as recodified by this act).

Sec. 20. RCW 43.185C.060 and 2005 c 484 s 10 are each amended to read as follows:

The ~~((homeless housing))~~ home security fund account is created in the ~~((custody of the))~~ state ~~((treasurer))~~ treasury, subject to appropriation. The state's portion of the surcharge established in RCW 36.22.179 (as recodified by this act) and section 17 of this act must be deposited in the account. Expenditures from the account may be used only for ~~((the))~~ homeless housing programs ~~((as described in this chapter. Only the director or the director's designee may authorize expenditures from the account. The account is subject~~

~~to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures)).~~

NEW SECTION. Sec. 21. RCW 36.22.179 and 43.20A.790 are each recodified as sections in chapter 43.185C RCW.

NEW SECTION. Sec. 22. RCW 36.22.178, 43.63A.650, and 43.185B.040 are each recodified as sections in chapter 43.--- RCW (created in section 23 of this act).

NEW SECTION. Sec. 23. Sections 1 through 4 and 7 through 9 of this act constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 24. If specific funding for the purposes of sections 1 through 10 of this act, referencing sections 1 through 10 of this act by bill or chapter number and section number, is not provided by June 30, 2007, in the omnibus appropriations act, sections 1 through 10 of this act are null and void."

On page 1, line 1 of the title, after "all;" strike the remainder of the title and insert "amending RCW 43.185B.040, 36.22.178, 43.63A.650, 43.185C.005, 43.185C.040, 43.185C.050, 43.185C.080, 43.185C.160, 36.22.179, 43.185C.150, and 43.185C.060; reenacting and amending RCW 36.18.010; adding new sections to chapter 43.185C RCW; adding a new chapter to Title 43 RCW; creating a new section; and recodifying RCW 36.22.179, 43.20A.790, 36.22.178, 43.63A.650, and 43.185B.040."

as the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendments to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1359, and asked the Senate to recede.

MESSAGE FROM THE SENATE

April 11, 2007

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 1667 with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. By January 1, 2008, the department of health shall submit to the appropriate policy and fiscal committees of the legislature an evaluation of the economic benefits to the state's health care system of the midwifery licensure and regulatory program under chapter 18.50 RCW. In particular, the department shall contract with a consultant to conduct a review of existing research literature on whether these economic benefits exceed the state expenditures to subsidize the cost of the midwifery licensing and regulatory program under RCW 43.70.250. The evaluation shall include an assessment of the economic benefits to consumers who elect out-of-hospital births with midwives, including any reduced use of procedures that increase the costs of childbirth. Furthermore, the study shall identify the reasons for the high per-licensee costs of the midwifery licensure and regulatory program. To the extent such costs are the result of department of health investigations of midwives, the study shall identify the nature of the initiating complainant (including categories such as birth parent, other family members, other licensed midwives, certified midwives, obstetricians, gynecologists, other health care professional, paramedics, and department of health) for each investigation conducted during the previous three years, and whether the birth parents supported or opposed the investigation. The department shall identify the outcome and estimated costs of each such investigation, the average cost to the defending midwife of the

investigations, and for the midwives whose licenses were not revoked, whether the midwife elected to continue seeking licensure in the subsequent two years.

The report may also examine the effectiveness of a health professions credentialing surcharge to (1) reduce the variation in levels of credentialing fees paid by health care providers regulated by the department, (2) provide greater equity in credentialing fee amounts, and (3) increase the number of health care providers in those professions. This section expires on January 1, 2008."

On page 1, line 2 of the title, strike "amending RCW 43.70.250;"

as the same is herewith transmitted.

Thomas Hoemann, Secretary

POINT OF ORDER

Representative Springer requested a scope and object ruling on the amendment Senate to Engrossed House Bill No. 1667.

SPEAKER'S RULING

The Speaker (Representative Hudgins presiding): "Engrossed House Bill 1667 is titled AN ACT relating to "airness and equity in health professions licensing fees." The bill amends RCW 43.70.250 to establish a \$1.50 surcharge on all health care provider credentials. Money received from the surcharge shall be used to reduce the fees for members of any profession that has an annual credentialing fee about \$500. Under the bill, the four professions in this category are podiatrists, midwives, sex offender treatment providers and denturists.

The Senate amendment strikes the entire bill and replaces its provisions with a requirement that the Department of Health evaluate the economic benefits of maintaining a midwifery regulatory program, including a review of the benefits of subsidizing midwife licenses, the economic benefits to consumers of having out-of-hospital births and the reasons for the high cost of licensing midwives. The report may also examine the effectiveness of using a surcharge to promote equity in licensing fees for various health professions.

The bill is limited to health professions licensing fees. The Senate amendment goes beyond this limit to require an evaluation as to whether a certain profession should be subject to licensure.

The Speaker therefore finds that the Senate amendment is beyond the scope and object of the House bill.

Representative Springer, your point of order is well taken."

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendments to ENGROSSED HOUSE BILL NO. 1667, and asked the Senate to recede.

MESSAGE FROM THE SENATE

April 14, 2007

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 5207 and asks the House to recede therefrom.

Brad Hendrickson, Deputy Secretary

There being no objection, the rules were suspended, and SUBSTITUTE SENATE BILL NO. 5207 was returned to Second Reading for purpose of amendments.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5207, By Senate Committee on Transportation (originally sponsored by Senators Haugen, Murray and Spanel)

Concerning a study to evaluate the imposition of a fee on the processing of shipping containers, port-related user fees, and other funding mechanisms to improve freight corridors; creating the freight congestion relief account.

Representative Clibborn moved the adoption of amendment (873):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) Subject to availability of amounts appropriated for this specific purpose, the joint transportation committee shall:

(a) Administer a consultant study of funding mechanisms for deposit in the freight congestion relief account created in section 2 of this act to fund freight congestion relief investments. At a minimum, the study must: (i) Evaluate federal, state, incentive, and other project specific fees; (ii) analyze current taxes and fees paid by the freight industry and the projects the taxes and fees fund; (iii) assess other nonfreight-related fees and taxes that could be used to pay for freight congestion relief investments; (iv) assess how other states and countries pay for freight congestion relief investments; (v) discuss the various approaches and their impacts on Washington competitiveness in freight movement; (vi) assess the imposition of a shipping container-based fee, port-related user fees, or other funding mechanisms on the demand elasticity of the movement of freight goods through Washington's container ports at various rates as well as forecast diversion of marine cargo at various price points; (vii) measure the return on investment in freight rail and highway-based infrastructure supported by the user fee and its impact on forecast growth in shipping container traffic and the movement of freight goods; and (viii) recommend the structure of a future project recommendation body including its membership, process, and selection criteria. The scope of the work for the study may be expanded to include analysis of other issues relevant to freight congestion relief funding; and

(b) Convene a stakeholder group composed of representatives to work on the consultant study that includes: Two representatives of container ports, one representative of trucking, one representative from railroads, one representative from international shipping, one representative from national shipping, two representatives of organized labor, two representatives of the import/export community, one representative from the department of transportation, one representative from the freight mobility strategic investment board, and other representatives as deemed necessary by the joint transportation committee. The stakeholder group shall work with the selected consultant in: (i) Identifying critical freight congestion relief investments; (ii) identifying alternatives for a dedicated funding source for freight congestion relief investments or user fees to fund specific freight congestion relief investments; and (iii) developing and reviewing a final consultant study.

(2) The consultant's draft report must be submitted to the transportation committees of the legislature by December 15, 2007, with the final findings and recommendations of the report being due prior to the beginning of the 2008 legislative session.

(3) This section expires January 14, 2008.

NEW SECTION. Sec. 2. A new section is added to chapter 46.68 RCW to read as follows:

The freight congestion relief account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may only be used to provide congestion relief through the improvement of freight rail systems and state highways that function as freight corridors.

Sec. 3. RCW 43.84.092 and 2006 c 337 s 11, 2006 c 311 s 23, 2006 c 171 s 10, 2006 c 56 s 10, and 2006 c 6 s 8 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Columbia river basin water supply development account, the common school construction fund, the county criminal justice assistance account, the county sales and use tax equalization account, the data processing building construction account, the deferred compensation administrative account, the deferred compensation principal account, the department of retirement systems expense account, the developmental disabilities community trust account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the education construction fund, the education legacy trust account, the election account, the emergency reserve fund, the energy freedom account, The Evergreen State College capital projects account, the federal forest revolving account, the freight congestion relief account, the freight mobility investment account, the freight mobility multimodal account, the health services account, the public health services account, the health system capacity account, the personal health services account, the state higher education construction account, the higher education construction account, the highway infrastructure account, the high-occupancy toll lanes operations account, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the medical aid account, the mobile home park relocation fund, the multimodal

transportation account, the municipal criminal justice assistance account, the municipal sales and use tax equalization account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puyallup tribal settlement account, the real estate appraiser commission account, the regional mobility grant program account, the resource management cost account, the rural Washington loan fund, the site closure account, the small city pavement and sidewalk account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the transportation infrastructure account, the transportation partnership account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer fire fighters' and reserve officers' relief and pension principal fund, the volunteer fire fighters' and reserve officers' administrative fund, the Washington fruit express account, the Washington judicial retirement system account, the Washington law enforcement officers' and fire fighters' system plan 1 retirement account, the Washington law enforcement officers' and fire fighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving fund, and the Western Washington University capital projects account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts. All earnings to be distributed under this subsection (4)(a) shall first be reduced by the allocation to the state treasurer's service fund pursuant to RCW 43.08.190.

(b) The following accounts and funds shall receive eighty percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the county arterial preservation account, the department of licensing services account, the essential rail assistance account, the ferry bond retirement fund, the grade crossing protective fund, the high capacity transportation account, the highway bond retirement fund, the highway safety account, the motor vehicle fund, the motorcycle safety education account, the pilotage account, the public transportation systems account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the recreational vehicle account, the rural arterial trust account, the safety and education account, the special category C account, the state patrol highway account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation improvement account, the transportation improvement board bond retirement account, and the urban arterial trust account.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section."

Correct the title.

Representatives Clibborn and Jarrett spoke in favor of the adoption of the amendment.

The amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House was placed on final passage.

Representatives Clibborn and Jarrett spoke in favor of passage of the bill.

The Speaker (Representative Hudgins presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5207, as amended by the House.

MOTION

On motion of Representative Schindler, Representative Condotta was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5207, as amended by the House and the bill passed the House by the following vote: Yeas - 63, Nays - 34, Absent - 0, Excused - 1.

Voting yea: Representatives Appleton, Barlow, Blake, Chase, Clibborn, Cody, Conway, Crouse, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roberts, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Williams, Wood and Mr. Speaker - 63.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buri, Campbell, Chandler, Curtis, DeBolt, Dunn, Ericksen, Hailey, Haler, Hankins, Hinkle, Hurst, Kretz, Kristiansen, McCune, McDonald, Moeller, Newhouse, Orcutt, Pearson, Roach, Rodne, Ross, Schindler, Skinner, Strow, Sump, Walsh and Warnick - 34.

Excused: Representative Condotta - 1.

SUBSTITUTE SENATE BILL NO. 5207, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 12, 2007

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1450, with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 84.36.560 and 2001 1st sp.s. c 7 s 1 are each amended to read as follows:

(1) The real and personal property owned or used by a nonprofit entity in providing rental housing for very low-income households or used to provide space for the placement of a mobile home for a very low-income household within a mobile home park is exempt from taxation if:

(a) The benefit of the exemption inures to the nonprofit entity;

(b) At least seventy-five percent of the occupied dwelling units in the rental housing or lots in a mobile home park are occupied by a very low-income household; and

(c) The rental housing or lots in a mobile home park were insured, financed, or assisted in whole or in part through one or more of the following sources:

(i) A federal or state housing program administered by the department of community, trade, and economic development; ~~((or))~~

(ii) A federal housing program administered by a city or county government;

(iii) An affordable housing levy authorized under RCW 84.52.105; or

(iv) The surcharges authorized by RCW 36.22.178 and 36.22.179 and any of the surcharges authorized in chapter 43.185C RCW.

(2) If less than seventy-five percent of the occupied dwelling units within the rental housing or lots in the mobile home park are occupied by very low-income households, the rental housing or mobile home park is eligible for a partial exemption on the real property and a total exemption of the housing's or park's personal property as follows:

(a) A partial exemption shall be allowed for each dwelling unit in the rental housing or for each lot in a mobile home park occupied by a very low-income household.

(b) The amount of exemption shall be calculated by multiplying the assessed value of the property reasonably necessary to provide the rental housing or to operate the mobile home park by a fraction. The numerator of the fraction is the number of dwelling units or lots occupied by very low-income households as of December 31st of the first assessment year in which the rental housing or mobile home park becomes operational or on January 1st of each subsequent assessment year for which the exemption is claimed. The denominator of the fraction is the total number of dwelling units or lots occupied as of December 31st of the first assessment year the rental housing or mobile home park becomes operational and January 1st of each subsequent assessment year for which exemption is claimed.

(3) If a currently exempt rental housing unit in a facility with ten units or fewer or mobile home lot in a mobile home park with ten lots or fewer was occupied by a very low-income household at the time the exemption was granted and the income of the household subsequently rises above fifty percent of the median income but remains at or below eighty percent of the median income, the exemption will continue as long as the housing continues to meet the certification requirements of a very low-income housing program ~~((administered by the department of community, trade, and economic development or the affordable housing levy under RCW 84.52.105))~~ listed in subsection (1) of this section. For purposes of this section, median income, as most recently determined by the federal department of housing and urban development for the county in which the rental housing or mobile home park is located, shall be adjusted for family size. However, if a dwelling unit or a lot becomes vacant and is subsequently rented, the income of the new household must be at or below fifty percent of the median income adjusted for family size as most recently determined by the federal department of housing and urban development for the county in which the rental housing or mobile home park is located to remain exempt from property tax.

(4) If at the time of initial application the property is unoccupied, or subsequent to the initial application the property is unoccupied because of renovations, and the property is not currently being used for the exempt purpose authorized by this section but will be used for the exempt purpose within two assessment years, the property shall be eligible for a property tax exemption for the assessment year in which the claim for exemption is submitted under the following conditions:

(a) A commitment for financing to acquire, construct, renovate, or otherwise convert the property to provide housing for very low-income households has been obtained, in whole or in part, by the nonprofit entity claiming the exemption from(~~(~~

~~(i) A federal or state housing program administered by the department of community, trade, and economic development; or~~

~~(ii) An affordable housing levy authorized under RCW 84.52.105))~~ one or more of the sources listed in subsection (1)(c) of this section;

(b) The nonprofit entity has manifested its intent in writing to construct, remodel, or otherwise convert the property to housing for very low-income households; and

(c) Only the portion of property that will be used to provide housing or lots for very low-income households shall be exempt under this section.

(5) To be exempt under this section, the property must be used exclusively for the purposes for which the exemption is granted, except as provided in RCW 84.36.805.

(6) The nonprofit entity qualifying for a property tax exemption under this section may agree to make payments to the city, county, or other political subdivision for improvements, services, and facilities furnished by the city, county, or political subdivision for the benefit of the rental housing. However, these payments shall not exceed the amount last levied as the annual tax of the city, county, or political subdivision upon the property prior to exemption.

(7) As used in this section:

(a) "Group home" means a single-family dwelling financed, in whole or in part, by ~~((the department of community, trade, and economic development or by an affordable housing levy under RCW 84.52.105))~~ one or more of the sources listed in subsection (1)(c) of this section. The residents of a group home shall not be considered to jointly constitute a household, but each resident shall be considered to be a separate household occupying a separate dwelling unit. The individual incomes of the residents shall not be aggregated for purposes of this exemption;

(b) "Mobile home lot" or "mobile home park" means the same as these terms are defined in RCW 59.20.030;

(c) "Occupied dwelling unit" means a living unit that is occupied by an individual or household as of December 31st of the first assessment year the rental housing becomes operational or is occupied by an individual or household on January 1st of each subsequent assessment year in which the claim for exemption is submitted. If the housing facility is comprised of three or fewer dwelling units and there are any unoccupied units on January 1st, the department shall base the amount of the exemption upon the number of occupied dwelling units as of December 31st of the first assessment year the rental housing becomes operational and on May 1st of each subsequent assessment year in which the claim for exemption is submitted;

(d) "Rental housing" means a residential housing facility or group home that is occupied but not owned by very low-income households;

(e) "Very low-income household" means a single person, family, or unrelated persons living together whose income is at or below fifty percent of the median income adjusted for family size as most recently determined by the federal department of housing and urban development for the county in which the rental housing is located and in effect as of January 1st of the year the application for exemption is submitted; and

(f) "Nonprofit entity" means a:

(i) Nonprofit as defined in RCW 84.36.800 that is exempt from income tax under section 501(c) of the federal internal revenue code;

(ii) Limited partnership where a nonprofit as defined in RCW 84.36.800 that is exempt from income tax under section 501(c) of the federal internal revenue code, a public corporation established under RCW 35.21.660, 35.21.670, or 35.21.730, a housing authority created under RCW 35.82.030 or 35.82.300, or a housing authority meeting the definition in RCW 35.82.210(2)(a) is a general partner; or

(iii) Limited liability company where a nonprofit as defined in RCW 84.36.800 that is exempt from income tax under section 501(c) of the federal internal revenue code, a public corporation established under RCW 35.21.660, 35.21.670, or 35.21.730, a housing authority established under RCW 35.82.030 or 35.82.300, or a housing authority meeting the definition in RCW 35.82.210(2)(a) is a managing member.

Sec. 2. RCW 84.40.030 and 2001 c 187 s 17 are each amended to read as follows:

All property shall be valued at one hundred percent of its true and fair value in money and assessed on the same basis unless specifically provided otherwise by law.

Taxable leasehold estates shall be valued at such price as they would bring at a fair, voluntary sale for cash without any deductions for any indebtedness owed including rentals to be paid.

The true and fair value of real property for taxation purposes (including property upon which there is a coal or other mine, or stone or other quarry) shall be based upon the following criteria:

(1) Any sales of the property being appraised or similar properties with respect to sales made within the past five years. The appraisal shall be consistent with the comprehensive land use plan, development regulations under chapter 36.70A RCW, zoning, and any other governmental policies or practices in effect at the time of appraisal that affect the use of property, as well as physical and environmental influences. An assessment may not be determined by a method that assumes a land usage or highest and best use not permitted, for that property being appraised, under existing zoning or land use planning ordinances or statutes or other government restrictions. The appraisal shall also take into account: (a) In the use of sales by real estate contract as similar sales, the extent, if any, to which the stated selling price has been increased by reason of the down payment, interest rate, or other financing terms; and (b) the extent to which the sale of a similar property actually represents the general effective market demand for property of such type, in the geographical area in which such property is located. Sales involving deed releases or similar seller-developer financing arrangements shall not be used as sales of similar property.

(2) In addition to sales as defined in subsection (1) of this section, consideration may be given to cost, cost less depreciation, reconstruction cost less depreciation, or capitalization of income that would be derived from prudent use of the property, as limited by law or ordinance. Consideration should be given to any agreement, between an owner of rental housing and any government agency, that restricts rental income, appreciation, and liquidity; and to the impact of government restrictions on operating expenses and on ownership rights in general of such housing. In the case of property of a complex nature, or being used under terms of a franchise from a public agency, or operating as a public utility, or property not having a record of sale within five years and not having a significant number of sales of similar property in the general area, the provisions of this subsection shall be the dominant factors in valuation. When provisions of this subsection are relied upon for establishing values the property owner shall be advised upon request of the factors used in arriving at such value.

(3) In valuing any tract or parcel of real property, the true and fair value of the land, exclusive of structures thereon shall be determined; also the true and fair value of structures thereon, but the valuation shall not exceed the true and fair value of the total property as it exists. In valuing agricultural land, growing crops shall be excluded."

On page 1, line 2 of the title, after "taxation;" strike the remainder of the title and insert "and amending RCW 84.36.560 and 84.40.030."

and the same is herewith transmitted.

Thomas Hoemann, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1450 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Sells spoke in favor the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Hudgins presiding) stated the question before the House to be final passage of House Bill No. 1450, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1450, as amended by the Senate and the bill passed the House by the following vote: Yeas - 83, Nays - 14, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Bailey, Barlow, Buri, Campbell, Chase, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Upthegrove, Van De Wege, Wallace, Warnick, Williams, Wood and Mr. Speaker - 83.

Voting nay: Representatives Armstrong, Blake, Chandler, Dunn, Haler, Hankins, Hinkle, Kretz, Orcutt, Ross, Skinner, Sump, Takko and Walsh - 14.

Excused: Representative Condotta - 1.

HOUSE BILL NO. 1450, as amended by the Senate having received the constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2007

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1598, with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 77.85.130 and 2005 c 309 s 8, 2005 c 271 s 1, and 2005 c 257 s 3 are each reenacted and amended to read as follows:

(1) The salmon recovery funding board shall develop procedures and criteria for allocation of funds for salmon habitat projects and salmon recovery activities on a statewide basis to address the highest priorities for salmon habitat protection and restoration. To the extent practicable the board shall adopt an annual allocation of funding. The allocation should address both protection and restoration of habitat, and should recognize the varying needs in each area of the state on an equitable basis. The board has the discretion to partially fund, or to fund in phases, salmon habitat projects. The board may annually establish a maximum amount of funding available for any individual project, subject to available funding. No projects required solely as a mitigation or a condition of permitting are eligible for funding.

(2)(a) In evaluating, ranking, and awarding funds for projects and activities the board shall give preference to projects that:

(i) Are based upon the limiting factors analysis identified under RCW 77.85.060;

(ii) Provide a greater benefit to salmon recovery based upon the stock status information contained in the department of fish and wildlife salmonid stock inventory (SASSI), the salmon and steelhead habitat inventory and assessment project (SSHAP), and any comparable science-based assessment when available;

(iii) Will benefit listed species and other fish species;

(iv) Will preserve high quality salmonid habitat; and
(v) Are included in a regional or watershed-based salmon recovery plan that accords the project, action, or area a high priority for funding.

(b) In evaluating, ranking, and awarding funds for projects and activities the board shall also give consideration to projects that:

(i) Are the most cost-effective;

(ii) Have the greatest matched or in-kind funding;

(iii) Will be implemented by a sponsor with a successful record of project implementation; ~~(and)~~

(iv) Involve members of the veterans conservation corps established in RCW 43.60A.150; and

(v) Are part of a regionwide list developed by lead entities.

(3) The board may reject, but not add, projects from a habitat project list submitted by a lead entity for funding.

(4) The board shall establish criteria for determining when block grants may be made to a lead entity. The board may provide block grants to the lead entity to implement habitat project lists developed under RCW 77.85.050, subject to available funding. The board shall determine an equitable minimum amount of project funds for each recovery region, and shall distribute the remainder of funds on a competitive basis. The board may also provide block grants to the lead entity or regional recovery organization to assist in carrying out functions described under this chapter. Block grants must be expended consistent with the priorities established for the board in subsection (2) of this section. Lead entities or regional recovery organizations receiving block grants under this subsection shall provide an annual report to the board summarizing how funds were expended for activities consistent with this chapter, including the types of projects funded, project outcomes, monitoring results, and administrative costs.

(5) The board may waive or modify portions of the allocation procedures and standards adopted under this section in the award of grants or loans to conform to legislative appropriations directing an alternative award procedure or when the funds to be awarded are from federal or other sources requiring other allocation procedures or standards as a condition of the board's receipt of the funds. The board shall develop an integrated process to manage the allocation of funding from federal and state sources to minimize delays in the award of funding while recognizing the differences in state and legislative appropriation timing.

(6) The board may award a grant or loan for a salmon recovery project on private or public land when the landowner has a legal obligation under local, state, or federal law to perform the project, when expedited action provides a clear benefit to salmon recovery, and there will be harm to salmon recovery if the project is delayed. For purposes of this subsection, a legal obligation does not include a project required solely as a mitigation or a condition of permitting.

(7) Property acquired or improved by a project sponsor may be conveyed to a federal agency if: (a) The agency agrees to comply with all terms of the grant or loan to which the project sponsor was obligated; or (b) the board approves: (i) Changes in the terms of the grant or loan, and the revision or removal of binding deed of right instruments; and (ii) a memorandum of understanding or similar document ensuring that the facility or property will retain, to the extent feasible, adequate habitat protections; and (c) the appropriate legislative authority of the county or city with jurisdiction over the project area approves the transfer and provides notification to the board.

(8) Any project sponsor receiving funding from the salmon recovery funding board that is not subject to disclosure under chapter 42.56 RCW must, as a mandatory contractual prerequisite to receiving the funding, agree to disclose any information in regards to the expenditure of that funding as if the project sponsor was subject to the requirements of chapter 42.56 RCW."

On page 1, line 2 of the title, after "recovery;" strike the remainder of the title and insert "and reenacting and amending RCW 77.85.130."

and the same is herewith transmitted.

Thomas Hoemann, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to HOUSE BILL NO. 1598 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Kretz and B. Sullivan spoke in favor of the passage of the bill.

The Speaker (Representative Hudgins presiding) stated the question before the House to be final passage of House Bill No. 1598, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1598, as amended by the Senate and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Condotta - 1.

HOUSE BILL NO. 1598, as amended by the Senate having received the constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 10, 2007

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1833, with the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds and declares:

(1) By reason of their employment, firefighters are required to work in the midst of, and are subject to, smoke, fumes, infectious diseases, and toxic and hazardous substances;

(2) Firefighters enter uncontrolled environments to save lives, provide emergency medical services, and reduce property damage and are frequently not aware of the potential toxic and carcinogenic substances, and infectious diseases that they may be exposed to;

(3) Harmful effects caused by firefighters' exposure to hazardous substances may develop very slowly, manifesting themselves years after exposure;

(4) Firefighters frequently and at unpredictable intervals perform job duties under strenuous physical conditions unique to their employment when engaged in firefighting activities; and

(5) Firefighting duties exacerbate and increase the incidence of cardiovascular disease in firefighters.

Sec. 2. RCW 51.32.185 and 2002 c 337 s 2 are each amended to read as follows:

(1) In the case of fire fighters as defined in RCW 41.26.030(4) (a), (b), and (c) who are covered under Title 51 RCW and fire fighters, including supervisors, employed on a full-time, fully compensated basis as a fire fighter of a private sector employer's fire department that includes over fifty such fire fighters, there shall exist a prima facie presumption that: (a) Respiratory disease; (b) ~~any heart problems that are experienced within seventy-two hours of exposure to smoke, fumes, or toxic substances~~ any heart problems, experienced within seventy-two hours of exposure to smoke, fumes, or toxic substances, or experienced within twenty-four hours of strenuous physical exertion due to firefighting activities; (c) cancer; and (d) infectious diseases are occupational diseases under RCW 51.08.140. This presumption of occupational disease may be rebutted by a preponderance of the evidence. Such evidence may include, but is not limited to, use of tobacco products, physical fitness and weight, lifestyle, hereditary factors, and exposure from other employment or nonemployment activities.

(2) The presumptions established in subsection (1) of this section shall be extended to an applicable member following termination of service for a period of three calendar months for each year of requisite service, but may not extend more than sixty months following the last date of employment.

(3) The presumption established in subsection (1)(c) of this section shall only apply to any active or former fire fighter who has cancer that develops or manifests itself after the fire fighter has served at least ten years and who was given a qualifying medical examination upon becoming a fire fighter that showed no evidence of cancer. The presumption within subsection (1)(c) of this section shall only apply to prostate cancer diagnosed prior to the age of fifty, primary brain cancer, malignant melanoma, leukemia, non-Hodgkin's lymphoma, bladder cancer, ureter cancer, colorectal cancer, multiple myeloma, testicular cancer, and kidney cancer.

(4) The presumption established in subsection (1)(d) of this section shall be extended to any fire fighter who has contracted any of the following infectious diseases: Human immunodeficiency virus/acquired immunodeficiency syndrome, all strains of hepatitis, meningococcal meningitis, or mycobacterium tuberculosis.

(5) Beginning July 1, 2003, this section does not apply to a fire fighter who develops a heart or lung condition and who is a regular user of tobacco products or who has a history of tobacco use. The department, using existing medical research, shall define in rule the extent of tobacco use that shall exclude a fire fighter from the provisions of this section.

(6) For purposes of this section, "firefighting activities" means fire suppression, fire prevention, emergency medical services, rescue operations, hazardous materials response, aircraft rescue, and training and other assigned duties related to emergency response.

(7)(a) When a determination involving the presumption established in this section is appealed to the board of industrial insurance appeals and the final decision allows the claim for benefits, the board of industrial insurance appeals shall order that all reasonable costs of the appeal, including attorney fees and witness fees, be paid to the firefighter or his or her beneficiary by the opposing party.

(b) When a determination involving the presumption established in this section is appealed to any court and the final decision allows the claim for benefits, the court shall order that all reasonable costs of the appeal, including attorney fees and witness fees, be paid to the firefighter or his or her beneficiary by the opposing party.

(c) When reasonable costs of the appeal must be paid by the department under this section in a state fund case, the costs shall be paid from the accident fund and charged to the costs of the claim.

Sec. 3. RCW 51.52.120 and 2003 c 53 s 285 are each amended to read as follows:

(1) It shall be unlawful for an attorney engaged in the representation of any worker or beneficiary to charge for services in the department any fee in excess of a reasonable fee, of not more than

thirty percent of the increase in the award secured by the attorney's services. Such reasonable fee shall be fixed by the director or the director's designee for services performed by an attorney for such worker or beneficiary, if written application therefor is made by the attorney, worker, or beneficiary within one year from the date the final decision and order of the department is communicated to the party making the application.

(2) If, on appeal to the board, the order, decision, or award of the department is reversed or modified and additional relief is granted to a worker or beneficiary, or in cases where a party other than the worker or beneficiary is the appealing party and the worker's or beneficiary's right to relief is sustained by the board, the board shall fix a reasonable fee for the services of his or her attorney in proceedings before the board if written application therefor is made by the attorney, worker, or beneficiary within one year from the date the final decision and order of the board is communicated to the party making the application. In fixing the amount of such attorney's fee, the board shall take into consideration the fee allowed, if any, by the director, for services before the department, and the board may review the fee fixed by the director. Any attorney's fee set by the department or the board may be reviewed by the superior court upon application of such attorney, worker, or beneficiary. The department or self-insured employer, as the case may be, shall be served a copy of the application and shall be entitled to appear and take part in the proceedings. Where the board, pursuant to this section, fixes the attorney's fee, it shall be unlawful for an attorney to charge or receive any fee for services before the board in excess of that fee fixed by the board.

(3) In an appeal to the board involving the presumption established under RCW 51.32.185, the attorney's fee shall be payable as set forth under RCW 51.32.185.

(4) Any person who violates this section is guilty of a misdemeanor.

Sec. 4. RCW 51.52.130 and 1993 c 122 s 1 are each amended to read as follows:

(1) If, on appeal to the superior or appellate court from the decision and order of the board, said decision and order is reversed or modified and additional relief is granted to a worker or beneficiary, or in cases where a party other than the worker or beneficiary is the appealing party and the worker's or beneficiary's right to relief is sustained, a reasonable fee for the services of the worker's or beneficiary's attorney shall be fixed by the court. In fixing the fee the court shall take into consideration the fee or fees, if any, fixed by the director and the board for such attorney's services before the department and the board. If the court finds that the fee fixed by the director or by the board is inadequate for services performed before the department or board, or if the director or the board has fixed no fee for such services, then the court shall fix a fee for the attorney's services before the department, or the board, as the case may be, in addition to the fee fixed for the services in the court. If in a worker or beneficiary appeal the decision and order of the board is reversed or modified and if the accident fund or medical aid fund is affected by the litigation, or if in an appeal by the department or employer the worker or beneficiary's right to relief is sustained, or in an appeal by a worker involving a state fund employer with twenty- five employees or less, in which the department does not appear and defend, and the board order in favor of the employer is sustained, the attorney's fee fixed by the court, for services before the court only, and the fees of medical and other witnesses and the costs shall be payable out of the administrative fund of the department. In the case of self-insured employers, the attorney fees fixed by the court, for services before the court only, and the fees of medical and other witnesses and the costs shall be payable directly by the self-insured employer.

(2) In an appeal to the superior or appellate court involving the presumption established under RCW 51.32.185, the attorney's fee shall be payable as set forth under RCW 51.32.185."

On page 1, line 1 of the title, after "firefighters," strike the remainder of the title and insert "amending RCW 51.32.185, 51.52.120, and 51.52.130; and creating a new section."

and the same is herewith transmitted.

Thomas Hoemann, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1833 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Conway spoke in favor of the passage of the bill.

The Speaker (Representative Hudgins presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 1833, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1833, as amended by the Senate and the bill passed the House by the following vote: Yeas - 91, Nays - 6, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chase, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 91.

Voting nay: Representatives Chandler, Dunn, Hailey, Hinkle, Newhouse and Warnick - 6.

Excused: Representative Condotta - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1833, as amended by the Senate having received the constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 13, 2007

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1965, with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 36.70A.367 and 2004 c 208 s 1 are each amended to read as follows:

(1) In addition to the major industrial development allowed under RCW 36.70A.365, a county planning under RCW 36.70A.040 that meets the criteria in subsection ~~((110) or (11))~~ (5) of this section may establish, in consultation with cities consistent with provisions of RCW 36.70A.210, a process for designating a bank of no more

than two master planned locations for major industrial activity outside urban growth areas.

(2) ~~((A master planned location for major industrial developments outside an urban growth area may be included in the urban industrial land bank for the county if criteria including, but not limited to, the following are met through the completion of a comprehensive planning process that ensures that:~~

~~(a) Development regulations are adopted to ensure that urban growth will not occur in adjacent nonurban areas;~~

~~(b) The master plan for the major industrial developments is consistent with the county's development regulations adopted for protection of critical areas;~~

~~(c) An inventory of developable land has been conducted as provided in RCW 36.70A.365;~~

~~(d) Provisions are established for determining the availability of alternate sites within urban growth areas and the long-term annexation feasibility of land sites outside of urban growth areas; and~~

~~(e) Development regulations are adopted to require the industrial land bank site to be used primarily for locating industrial and manufacturing businesses and specify that the gross floor area of all commercial and service buildings or facilities locating within the industrial land bank shall not exceed ten percent of the total gross floor area of buildings or facilities in the industrial land bank. The commercial and service businesses operated within the ten percent gross floor area limit shall be necessary to the primary industrial or manufacturing businesses within the industrial land bank. The intent of this provision for commercial or service use is to meet the needs of employees, clients, customers, vendors, and others having business at the industrial site and as an adjunct to the industry to attract and retain a quality work force and to further other public objectives, such as trip reduction. Such uses would not be promoted to attract additional clientele from the surrounding area. The commercial and service businesses should be established concurrently with or subsequent to the industrial or manufacturing businesses.~~

~~(3) The process for reviewing and approving proposals to authorize siting of specific major industrial developments within an approved industrial land bank must ensure through adopted development regulations that:~~

~~(a) New infrastructure is provided for and/or applicable impact fees are paid;~~

~~(b) Transit-oriented site planning and traffic demand management programs are implemented;~~

~~(c) Buffers are provided between the major industrial development and adjacent nonurban areas;~~

~~(d) Environmental protection including air and water quality has been addressed and provided for;~~

~~(e) Provision is made to mitigate adverse impacts on designated agricultural lands, forest lands, and mineral resource lands; and~~

~~(f) An interlocal agreement related to infrastructure cost sharing and revenue sharing between the county and interested cities is established.~~

~~(4) In selecting master planned locations for inclusion in the urban industrial land bank, priority shall be given to locations that are adjacent to, or in close proximity to, an urban growth area.~~

~~(5) Final approval of inclusion of a master planned location in an urban industrial land bank under subsection (2) of this section shall be considered an adopted amendment to the comprehensive plan adopted pursuant to RCW 36.70A.070, except that RCW 36.70A.130(2) does not apply so that inclusion or exclusion of master planned locations may be considered at any time. Approval of specific development proposals under subsection (3) of this section requires no further comprehensive plan amendment.~~

~~(6) Once a master planned location has been included in an urban industrial land bank, manufacturing and industrial businesses that qualify as major industrial development under RCW 36.70A.365 may be located there.~~

~~(7) Nothing in this section alters the requirements for a county to comply with chapter 43.21C RCW.~~

~~(8)(a) The authority of a county meeting the criteria of subsection (10) of this section to engage in the process of including or excluding master planned locations from an urban industrial land bank terminates on December 31, 2007. However, any location included in an urban industrial land bank on or before December 31,~~

~~2007, shall be available for major industrial development as long as the criteria of subsection (2) of this section are met. A county that has established or proposes to establish an industrial land bank pursuant to this section shall review the need for an industrial land bank within the county, including a review of the availability of land for industrial and manufacturing uses within the urban growth area, during the review and evaluation of comprehensive plans and development regulations required by RCW 36.70A.130.~~

~~(b) The authority of a county meeting the criteria of subsection (11) of this section to engage in the process of including or excluding master planned locations from the urban industrial land bank terminates on December 31, 2002. However, any location included in the urban industrial land bank on December 31, 2002, shall be available for major industrial development as long as the criteria of subsection (2) of this section are met.~~

~~(9)) A master planned location for major industrial developments may be approved through a two-step process: Designation of an industrial land bank area in the comprehensive plan; and subsequent approval of specific major industrial developments through a local master plan process described under subsection (3) of this section.~~

~~(a) The comprehensive plan must identify locations suited to major industrial development due to proximity to transportation or resource assets. The plan must identify the maximum size of the industrial land bank area and any limitations on major industrial developments based on local limiting factors, but does not need to specify a particular parcel or parcels of property or identify any specific use or user except as limited by this section. In selecting locations for the industrial land bank area, priority must be given to locations that are adjacent to, or in close proximity to, an urban growth area.~~

~~(b) The environmental review for amendment of the comprehensive plan must be at the programmatic level and, in addition to a threshold determination, must include:~~

~~(i) An inventory of developable land as provided in RCW 36.70A.365; and~~

~~(ii) An analysis of the availability of alternative sites within urban growth areas and the long-term annexation feasibility of sites outside of urban growth areas.~~

~~(c) Final approval of an industrial land bank area under this section must be by amendment to the comprehensive plan adopted under RCW 36.70A.070, and the amendment is exempt from the limitation of RCW 36.70A.130(2) and may be considered at any time. Approval of a specific major industrial development within the industrial land bank area requires no further amendment of the comprehensive plan.~~

~~(3) In concert with the designation of an industrial land bank area, a county shall also adopt development regulations for review and approval of specific major industrial developments through a master plan process. The regulations governing the master plan process shall ensure, at a minimum, that:~~

~~(a) Urban growth will not occur in adjacent nonurban areas;~~

~~(b) Development is consistent with the county's development regulations adopted for protection of critical areas;~~

~~(c) Required infrastructure is identified and provided concurrent with development. Such infrastructure, however, may be phased in with development;~~

~~(d) Transit-oriented site planning and demand management programs are specifically addressed as part of the master plan approval;~~

~~(e) Provision is made for addressing environmental protection, including air and water quality, as part of the master plan approval;~~

~~(f) The master plan approval includes a requirement that interlocal agreements between the county and service providers, including cities and special purpose districts providing facilities or services to the approved master plan, be in place at the time of master plan approval;~~

~~(g) A major industrial development is used primarily by industrial and manufacturing businesses, and that the gross floor area of all commercial and service buildings or facilities locating within the major industrial development does not exceed ten percent of the total gross floor area of buildings or facilities in the development. The intent of this provision for commercial or service use is to meet~~

the needs of employees, clients, customers, vendors, and others having business at the industrial site, to attract and retain a quality workforce, and to further other public objectives, such as trip reduction. These uses may not be promoted to attract additional clientele from the surrounding area. Commercial and service businesses must be established concurrently with or subsequent to the industrial or manufacturing businesses;

(h) New infrastructure is provided for and/or applicable impact fees are paid to assure that adequate facilities are provided concurrently with the development. Infrastructure may be achieved in phases as development proceeds;

(i) Buffers are provided between the major industrial development and adjacent rural areas;

(j) Provision is made to mitigate adverse impacts on designated agricultural lands, forest lands, and mineral resource lands; and

(k) An open record public hearing is held before either the planning commission or hearing examiner with notice published at least thirty days before the hearing date and mailed to all property owners within one mile of the site.

(4) For the purposes of this section:

(a) "Major industrial development" means a master planned location suitable for manufacturing or industrial businesses that: (i) Requires a parcel of land so large that no suitable parcels are available within an urban growth area; (ii) is a natural resource-based industry requiring a location near agricultural land, forest land, or mineral resource land upon which it is dependent; or (iii) requires a location with characteristics such as proximity to transportation facilities or related industries such that there is no suitable location in an urban growth area. The major industrial development may not be for the purpose of retail commercial development or multitenant office parks.

(b) "Industrial land bank" means up to two master planned locations, each consisting of a parcel or parcels of contiguous land, sufficiently large so as not to be readily available within the urban growth area of a city, or otherwise meeting the criteria contained in (a) of this subsection, suitable for manufacturing, industrial, or commercial businesses and designated by the county through the comprehensive planning process specifically for major industrial use.

~~((10))~~ (5) This section and the termination ~~((date))~~ provisions specified in subsection ~~((8)(a))~~ (6) of this section apply to a county that at the time the process is established under subsection (1) of this section:

(a) Has a population greater than two hundred fifty thousand and is part of a metropolitan area that includes a city in another state with a population greater than two hundred fifty thousand;

(b) Has a population greater than one hundred forty thousand and is adjacent to another country;

(c) Has a population greater than forty thousand but less than seventy-five thousand and has an average level of unemployment for the preceding three years that exceeds the average state unemployment for those years by twenty percent; and

(i) Is bordered by the Pacific Ocean;

(ii) Is located in the Interstate 5 or Interstate 90 corridor; or

(iii) Is bordered by Hood Canal;

(d) Is east of the Cascade divide; and

(i) Borders another state to the south; or

(ii) Is located wholly south of Interstate 90 and borders the Columbia river to the east; ~~((or))~~

(e) Has an average population density of less than one hundred persons per square mile as determined by the office of financial management, and is bordered by the Pacific Ocean and by Hood Canal ~~((;))~~; or

~~((11))~~ This section and the termination date specified in subsection (8)(b) of this section apply to a county that at the time the process is established under subsection (1) of this section) (f) Meets all of the following criteria:

~~((a))~~ (i) Has a population greater than forty thousand but fewer than eighty thousand;

~~((b))~~ (ii) Has an average level of unemployment for the preceding three years that exceeds the average state unemployment for those years by twenty percent; and

~~((c))~~ (iii) Is located in the Interstate 5 or Interstate 90 corridor.

~~((12))~~ (6) In order to identify and approve locations for industrial land banks, the county shall take action to designate one or more industrial land banks and adopt conforming regulations as provided by RCW 36.70A.367(2) on or before the last date to complete that county's next periodic review under RCW 36.70A.130(4) that occurs prior to December 31, 2014. The authority to take action to designate a land bank area in the comprehensive plan expires if not acted upon by the county within the time frame provided in this section. Once a land bank area has been identified in the county's comprehensive plan, the authority of the county to process a master plan or site projects within an approved master plan does not expire.

(7) Any county seeking to designate an industrial land bank under this section must:

(a) Provide countywide notice, in conformity with RCW 36.70A.035, of the intent to designate an industrial land bank. Notice must be published in a newspaper or newspapers of general circulation reasonably likely to reach subscribers in all geographic areas of the county. Notice must be provided not less than thirty days prior to commencement of consideration by the county legislative body; and

(b) Make a written determination of the criteria and rationale used by the legislative body as the basis for siting an industrial land bank under this chapter.

(8) Any location included in an industrial land bank pursuant to section 2, chapter 289, Laws of 1998, section 1, chapter 402, Laws of 1997, and section 2, chapter 167, Laws of 1996 shall remain available for major industrial development according to this section as long as the ~~((criteria of subsection (2)))~~ requirements of this section continue to be satisfied."

On page 1, line 2 of the title, after "banks;" strike the remainder of the title and insert "and amending RCW 36.70A.367."

and the same is herewith transmitted.

Thomas Hoemann, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1965 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Eddy spoke in favor of the passage of the bill.

The Speaker (Representative Hudgins presiding) stated the question before the House to be final passage of Substitute House Bill No. 1965, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1965, as amended by the Senate and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yeas: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien,

Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Condotta - 1.

SUBSTITUTE HOUSE BILL NO. 1965, as amended by the Senate having received the constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2007

Mr. Speaker:

The Senate receded from its amendment to ENGROSSED HOUSE BILL NO. 2070. Under suspension of the rules the bill was returned to second reading for purpose of amendment. The Senate adopted the following amendment and passed the bill as amended by the Senate:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. In *State v. Pillatos*, 150 P.3d 1130 (2007), the Washington supreme court held that the changes made to the sentencing reform act concerning exceptional sentences in chapter 68, Laws of 2005 do not apply to cases where the trials had already begun or guilty pleas had already been entered prior to the effective date of the act on April 15, 2005. The legislature intends that the superior courts shall have the authority to impanel juries to find aggravating circumstances in all cases that come before the courts for trial or sentencing, regardless of the date of the original trial or sentencing.

Sec. 2. RCW 9.94A.537 and 2005 c 68 s 4 are each amended to read as follows:

(1) At any time prior to trial or entry of the guilty plea if substantial rights of the defendant are not prejudiced, the state may give notice that it is seeking a sentence above the standard sentencing range. The notice shall state aggravating circumstances upon which the requested sentence will be based.

(2) In any case where an exceptional sentence above the standard range was imposed and where a new sentencing hearing is required, the superior court may impanel a jury to consider any alleged aggravating circumstances listed in RCW 9.94A.535(3), that were relied upon by the superior court in imposing the previous sentence, at the new sentencing hearing.

(3) The facts supporting aggravating circumstances shall be proved to a jury beyond a reasonable doubt. The jury's verdict on the aggravating factor must be unanimous, and by special interrogatory. If a jury is waived, proof shall be to the court beyond a reasonable doubt, unless the defendant stipulates to the aggravating facts.

~~((4))~~ (4) Evidence regarding any facts supporting aggravating circumstances under RCW 9.94A.535(3) (a) through (y) shall be presented to the jury during the trial of the alleged crime, unless the jury has been impaneled solely for resentencing, or unless the state alleges the aggravating circumstances listed in RCW 9.94A.535(3) (e)(iv), (h)(i), (o), or (t). If one of these aggravating circumstances is alleged, the trial court may conduct a separate proceeding if the evidence supporting the aggravating fact is not part of the res geste of the charged crime, if the evidence is not otherwise admissible in trial of the charged crime, and if the court finds that the probative value of the evidence to the aggravated fact is substantially outweighed by its prejudicial effect on the jury's ability to determine guilt or innocence for the underlying crime.

~~((4))~~ (5) If the superior court conducts a separate proceeding to determine the existence of aggravating circumstances listed in RCW 9.94A.535(3) (e)(iv), (h)(i), (o), or (t), the proceeding shall immediately follow the trial on the underlying conviction, if possible.

If any person who served on the jury is unable to continue, the court shall substitute an alternate juror.

~~((5))~~ (6) If the jury finds, unanimously and beyond a reasonable doubt, one or more of the facts alleged by the state in support of an aggravated sentence, the court may sentence the offender pursuant to RCW 9.94A.535 to a term of confinement up to the maximum allowed under RCW 9A.20.021 for the underlying conviction if it finds, considering the purposes of this chapter, that the facts found are substantial and compelling reasons justifying an exceptional sentence.

NEW SECTION. Sec. 3. 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."

On page 1, line 1 of the title, after "sentences;" strike the remainder of the title and insert "amending RCW 9.94A.537; creating a new section; and declaring an emergency."

and the same is herewith transmitted.

Thomas Hoemann, Secretary

There being no objection, the House concurred in the Senate amendment to ENGROSSED HOUSE BILL NO. 2070 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representative Goodman spoke in favor the passage of the bill.

The Speaker (Representative Hudgins presiding) stated the question before the House to be final passage of Engrossed House Bill No. 2070, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2070, as amended by the Senate and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Condotta - 1.

ENGROSSED HOUSE BILL NO. 2070, as amended by the Senate having received the constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 4, 2007

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1266 with the following amendment:

On page 5, after line 33, insert the following:

"**Sec. 9.** RCW 41.40.700 and 2003 c 155 s 7 are each amended to read as follows:

(1) Except as provided in RCW 11.07.010, if a member or a vested member who has not completed at least ten years of service dies, the amount of the accumulated contributions standing to such member's credit in the retirement system at the time of such member's death, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670, shall be paid to the member's estate, or such person or persons, trust, or organization as the member shall have nominated by written designation duly executed and filed with the department. If there be no such designated person or persons still living at the time of the member's death, such member's accumulated contributions standing to such member's credit in the retirement system, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670, shall be paid to the member's surviving spouse as if in fact such spouse had been nominated by written designation, or if there be no such surviving spouse, then to such member's legal representatives.

(2) If a member who is eligible for retirement or a member who has completed at least ten years of service dies, the surviving spouse or eligible child or children shall elect to receive ~~((either))~~ one of the following:

(a) A retirement allowance computed as provided for in RCW 41.40.630, actuarially reduced by the amount of any lump sum benefit identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670 and actuarially adjusted to reflect a joint and one hundred percent survivor option under RCW 41.40.660 and, except under subsection (4) of this section, if the member was not eligible for normal retirement at the date of death a further reduction as described in RCW 41.40.630; if a surviving spouse who is receiving a retirement allowance dies leaving a child or children of the member under the age of majority, then such child or children shall continue to receive an allowance in an amount equal to that which was being received by the surviving spouse, share and share alike, until such child or children reach the age of majority; if there is no surviving spouse eligible to receive an allowance at the time of the member's death, such member's child or children under the age of majority shall receive an allowance share and share alike calculated as herein provided making the assumption that the ages of the spouse and member were equal at the time of the member's death; ~~((or))~~

(b) The member's accumulated contributions, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670; or

(c) For a member who leaves the employ of an employer to enter the uniformed services of the United States and who dies after January 1, 2007, while honorably serving in the uniformed services of the United States in a conflict identified in RCW 41.04.005, an amount equal to two hundred percent of the member's accumulated contributions, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670.

(3) If a member who is eligible for retirement or a member who has completed at least ten years of service dies after October 1, 1977, and is not survived by a spouse or an eligible child, then the accumulated contributions standing to the member's credit, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670, shall be paid:

(a) To a person or persons, estate, trust, or organization as the member shall have nominated by written designation duly executed and filed with the department; or

(b) If there is no such designated person or persons still living at the time of the member's death, then to the member's legal representatives.

(4) A member who is killed in the course of employment, as determined by the director of the department of labor and industries, is not subject to an actuarial reduction under RCW 41.40.630. The member's retirement allowance is computed under RCW 41.40.620."

On page 1, line 3 of the title, strike "and 43.43.285", and insert "43.43.285, and 41.40.700".

as the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendments to SUBSTITUTE HOUSE BILL NO. 1266, and asked the Senate to recede.

MESSAGE FROM THE SENATE

April 17, 2007

Mr. Speaker:

The President ruled that the amendment is outside the Scope and Object of the measure. The Senate refuses to concur in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 5312 and asks the House for a Conference thereon. The President has appointed the following members as Conferees: Senators Kline, Tom and McCaslin, and the same is herewith transmitted.

Thomas Hoemann, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House granted the Senate's request for a conference on ENGROSSED SUBSTITUTE SENATE BILL NO. 5312. The Speaker (Representative Hudgins presiding) appointed the following members as Conferees: Representatives Morrell, Hurst and Warnick.

MESSAGE FROM THE SENATE

March 31, 2007

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1092 with the following amendment:

Columns discontinued for formatting purposes.

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) A capital budget is hereby adopted and, subject to the provisions set forth in this act, the several dollar amounts hereinafter specified, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for capital projects during the period beginning with the effective date of this act and ending June 30, 2009, out of the several funds specified in this act.

(2) The definitions in this subsection apply throughout this act unless the context clearly requires otherwise.

(a) "Fiscal year 2008" or "FY 2008" means the fiscal year ending June 30, 2008.

(b) "Fiscal year 2009" or "FY 2009" means the fiscal year ending June 30, 2009.

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

(d) "Provided solely" means the specified amount may be spent only for the specified purpose.

Unless otherwise specifically authorized in this act, any portion of an amount provided solely for a specified purpose that is not expended subject to the specified conditions and limitations to fulfill the specified purpose shall lapse.

**PART 1
GENERAL GOVERNMENT**

**NEW SECTION. Sec. 1001. FOR THE OFFICE OF THE SECRETARY OF STATE
Acquisition of Fredericks Collection (08-2-950)**

Appropriation:

State Building Construction Account--State	\$100,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$100,000

**NEW SECTION. Sec. 1002. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
Rural Washington Loan Fund (88-2-002)**

Reappropriation:

Rural Washington Loan Account--State	\$2,773,000
Prior Biennia (Expenditures)	\$1,122,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,895,000

**NEW SECTION. Sec. 1003. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
Cancer Research Facility Grant (01-S-005)**

Reappropriation:

State Building Construction Account--State	\$667,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$667,000

**NEW SECTION. Sec. 1004. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
Coastal Erosion Grants (01-S-019)**

Reappropriation:

State Building Construction Account--State	\$316,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$316,000

**NEW SECTION. Sec. 1005. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
Housing Assistance, Weatherization, and Affordable Housing (04-4-003)**

Reappropriation:

State Taxable Building Construction Account--State	\$156,000
Prior Biennia (Expenditures)	\$16,075,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$16,231,000

**NEW SECTION. Sec. 1006. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
Highline School District Aircraft Noise Mitigation (03-H-001)**

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

(1) The reappropriation in this section is subject to the Highline school district, the port of Seattle, and the federal aviation administration each matching the appropriation in section 150, chapter 26, Laws of 2003, 1st sp. sess.

(2) This reappropriation does not commit the state to make future appropriations for this program.

Reappropriation:

State Building Construction Account--State	\$4,699,000
Prior Biennia (Expenditures)	\$5,300,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,999,000

NEW SECTION. Sec. 1007. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 City of Woodland Infrastructure Development (04-4-959)

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

(1) The project must comply with RCW 43.63A.125(2)(c) and other requirements for community projects administered by the department.

(2) The reappropriation is provided solely for allocation by the department to the city of Woodland for infrastructure development, including drainage improvements and a dike access road.

Reappropriation:

State Building Construction Account--State	\$79,000
Prior Biennia (Expenditures)	\$222,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$301,000

NEW SECTION. Sec. 1008. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Drinking Water Assistance Account (04-4-002)

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

(1) Expenditures of the appropriation shall comply with RCW 70.119A.170.

(2)(a) The state building construction account reappropriation is provided solely to provide assistance to counties, cities, and special purpose districts to identify, acquire, and rehabilitate public water systems that have water quality problems or have been allowed to deteriorate to a point where public health is an issue. Eligibility is confined to applicants that already own at least one group A public water system and that demonstrate a track record of sound drinking water utility management. Funds may be used for: Planning, design, and other preconstruction activities; system acquisition; and capital construction costs.

(b) The state building construction account reappropriation must be jointly administered by the department of health, the public works board, and the department of community, trade, and economic development using the drinking water state revolving fund loan program as an administrative model. In order to expedite the use of these funds and minimize administration costs, this reappropriation must be administered by guidance, rather than rule. Projects must generally be prioritized using the drinking water state revolving fund loan program criteria. All financing provided through this program must be in the form of grants that must partially cover project costs. The maximum grant to any eligible entity may not exceed twenty-five percent of the funds allocated to the appropriation in section 201, chapter 277, Laws of 2004.

Reappropriation:

Drinking Water Assistance Account--State	\$5,227,000
State Building Construction Account--State	\$1,249,000
Drinking Water Assistance Repayment Account--State	\$4,200,000
Subtotal Reappropriation	\$10,676,000
Prior Biennia (Expenditures)	\$6,024,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$16,700,000

NEW SECTION. Sec. 1009. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Drinking Water SRF - Authorization to Use Loan Repayments (04-4-010)

Reappropriation:

Drinking Water Assistance Repayment Account--State	\$15,200,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$15,200,000

NEW SECTION. Sec. 1010. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Lewis & Clark Confluence Project (04-2-954)

The reappropriation in this section is subject to the following conditions and limitations: The project must comply with RCW 43.63A.125(2)(c) and other requirements for community projects administered by the department.

Reappropriation:

State Building Construction Account--State	\$1,017,000
Prior Biennia (Expenditures)	\$3,983,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 1011. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
Local/Community Projects (04-4-011)

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

- (1) The projects must comply with RCW 43.63A.125(2)(c) and other requirements for community projects administered by the department, except that the Highline historical society project is land acquisition.
- (2) The reappropriation is subject to the project list in section 204, chapter 277, Laws of 2004.

Reappropriation:

State Building Construction Account--State	\$1,936,000
Prior Biennia (Expenditures)	\$11,379,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,315,000

NEW SECTION. Sec. 1012. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
Public Works Trust Funds (04-4-001)

Reappropriation:

Public Works Assistance Account--State	\$112,309,000
Prior Biennia (Expenditures)	\$249,714,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$362,023,000

NEW SECTION. Sec. 1013. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
Building for the Arts (06-4-005)

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

- (1) The reappropriation is subject to the provisions of RCW 43.63A.750.
- (2) The reappropriation is subject to the project list in section 104, chapter 371, Laws of 2006.

Reappropriation:

State Building Construction Account--State	\$4,263,000
Prior Biennia (Expenditures)	\$427,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,690,000

NEW SECTION. Sec. 1014. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
Community Services Facilities Program (06-4-006)

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

- (1) The reappropriation is subject to the provisions of RCW 43.63A.125.
- (2) The reappropriation is subject to the project list in section 123, chapter 488, Laws of 2005 and section 111, chapter 8, Laws of 2001 2nd sp. sess.

Reappropriation:

State Building Construction Account--State	\$952,000
Prior Biennia (Expenditures)	\$4,394,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,346,000

NEW SECTION. Sec. 1015. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
Local/Community Projects (06-4-008)

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

- (1) The projects must comply with RCW 43.63A.125(2)(c) and other requirements for community projects administered by the department.
- (2) Funding for the Inland Northwest Science and Technology Center shall be held in reserve until the balance of phase I funding has been secured or committed from local government and community sources.
- (3) The Washington state arts commission shall design a plaque that shall be affixed to buildings or displayed as part of a project receiving any appropriation from this section. The plaque shall provide information to the public that the building or project has been made possible by the tax dollars of Washington citizens. The commission may contact the secretary of state to obtain approval for use of the Washington seal in the design of the plaque. The final design shall be approved by the chairs and ranking members of the house of representatives capital budget committee and the senate ways and means committee.
- (4) The reappropriation is subject to the project list in section 106, chapter 371, Laws of 2006.

Reappropriation:

State Building Construction Account--State	\$29,192,000
Prior Biennia (Expenditures)	\$20,608,000
Future Biennia (Projected Costs)	\$0

TOTAL \$49,800,000

NEW SECTION. Sec. 1016. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Youth Recreational Facilities Program (06-4-007)

The reappropriation in this section is subject to the following conditions and limitations:
 (1) The reappropriation is subject to the provisions of RCW 43.63A.135.
 (2) The reappropriation is subject to the project list in section 136, chapter 488, Laws of 2005.

Reappropriation:
 State Building Construction Account--State \$1,323,000
 Prior Biennia (Expenditures) \$1,977,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$3,300,000

NEW SECTION. Sec. 1017. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Community Economic Revitalization Board (CERB) (06-4-011)

The reappropriation in this section is subject to the following conditions and limitations: A maximum of twenty-five percent of the reappropriation in this section may be used for grants.

Reappropriation:
 Public Facility Construction Loan Revolving Account--State \$20,209,000
 Prior Biennia (Expenditures) \$241,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$20,450,000

NEW SECTION. Sec. 1018. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Drinking Water Assistance Program (06-4-003)

Reappropriation:
 Drinking Water Assistance Account--State \$8,100,000
 Drinking Water Assistance Repayment Account--State \$21,780,000
 Subtotal Reappropriation \$29,880,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$29,880,000

NEW SECTION. Sec. 1019. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Housing Assistance, Weatherization, and Affordable Housing (06-4-001)

Reappropriation:
 State Taxable Building Construction Account--State \$43,308,000
 Prior Biennia (Expenditures) \$70,792,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$114,100,000

NEW SECTION. Sec. 1020. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Housing Assistance, Weatherization, and Affordable Housing (06-4-851)

The reappropriations in this section are subject to the following conditions and limitations:
 (1) \$7,800,000 of the reappropriation from the Washington housing trust account is provided solely for the backlog, as defined by the department, of projects determined by the department to be eligible under chapter 43.185 or 43.185A RCW.
 (2) \$4,500,000 of the reappropriation from the Washington housing trust account is provided solely for weatherization administered through the energy matchmakers program.
 (3) \$850,000 of the reappropriation from the Washington housing trust account is provided solely to promote development of safe and affordable housing units for persons eligible for services from the division of developmental disabilities within the department of social and health services.
 (4) \$500,000 of the reappropriation from the Washington housing trust account is provided solely for shelters, transitional housing, or other housing facilities for victims of domestic violence.
 (5) \$3,000,000 of the reappropriation from the Washington housing trust account is provided solely for farm worker housing projects and programs to meet the full spectrum of housing needs of Washington's farm workers and their families. The department shall work with stakeholders representing a diversity of farm worker housing interests to develop a strategic plan in implementing this provision.
 (6) \$200,000 of the reappropriation from the Washington housing trust account is provided solely for the implementation and management of a manufactured/mobile home landlord-tenant ombudsman conflict resolution program by the office of mobile home affairs as generally described in section 3, chapter 429, Laws of 2005. The office of mobile home affairs shall also determine the number of complaints made to the department since May of 2005 that, in the best estimate of the department, do in fact present violations of chapter 59.20 RCW and shall produce a summary of the number and types of complaints. The office of mobile home affairs shall also continue to maintain and update a

database with information about all mobile home parks and manufactured housing communities. The office of mobile home affairs shall provide a report regarding the activities and results of the program to the appropriate committees of the house of representatives and the senate by December 31, 2007.

(7) \$150,000 of the appropriation from the Washington housing trust account is provided solely for a program to assist individuals and communities in the home-buying process, including, but not limited to: Homebuyer education classes, credit and budget counseling, financial literacy training, and down payment assistance programs. The department shall contract with a nonprofit organization as defined under section 501(c)(3) of the Internal Revenue Code or similar successor provision that has experience and expertise in addressing language access barriers in the home-buying process to implement this program.

(8) The reappropriation in this section must be included in the calculation of annual funds available for determining the administrative costs of the department, which shall not exceed five percent of the annual funds available for the housing assistance program and the affordable housing program as authorized under RCW 43.185.050 and 43.185A.030.

Reappropriation:

Washington Housing Trust Account--State	\$16,502,000
Homeless Families Services Account--State	\$4,000,000
Subtotal Reappropriation	\$20,502,000
Prior Biennia (Expenditures)	\$499,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$21,001,000

NEW SECTION. Sec. 1021. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
Job/Economic Development Grants (06-4-950)

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

(1) The reappropriation is subject to the project list in section 107, chapter 371, Laws of 2006.

(2) \$1,000,000 of the reappropriation for the Pacific Northwest national labs campus infrastructure project is provided solely for giga-pop infrastructure.

(3) \$5,000,000 of the reappropriation is provided solely for military communities infrastructure projects. Military communities infrastructure projects shall include:

(a) Grants to counties and cities for the purchase of development easements to restrict the use of accident potential zones and clear zones.

The office of financial management shall establish a competitive process for selecting projects to receive the grants. Final allocation of these grants shall be at the discretion and with the approval of the director of the office of financial management.

The grants are subject to the following conditions:

(i) The county or city must be subject to and in compliance with RCW 36.70A.530;

(ii) The grants may not be used to remove encroachments into these zones allowed by county or city zoning or permitting actions;

(iii) The county or city must have an encroachment prevention plan preventing future encroachment into these zones; and

(iv) The grant provided by the state must not exceed one-third of the project cost with funds from local and federal sources providing the balance of the funds.

(b) Up to \$481,000 of the reappropriation is provided solely for improvements to a military department site on Fairchild air force base.

Reappropriation:

Public Works Assistance Account--State	\$31,481,000
Prior Biennia (Expenditures)	\$18,519,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$50,000,000

NEW SECTION. Sec. 1022. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
Jobs in Communities (06-4-951)

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

(1) The projects must comply with RCW 43.63A.125(2)(c) and other requirements for community projects administered by the department.

(2) The reappropriation is subject to the project list in section 140, chapter 488, Laws of 2005.

Reappropriation:

State Building Construction Account--State	\$10,965,000
Prior Biennia (Expenditures)	\$1,286,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,251,000

NEW SECTION. Sec. 1023. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
Public Works Trust Fund (06-4-004)

Reappropriation:

Public Works Assistance Account--State	\$288,900,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$288,900,000

NEW SECTION. Sec. 1024. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT

Rural Washington Loan Fund (06-4-010)

Reappropriation:

Rural Washington Loan Account--State	\$3,937,000
Prior Biennia (Expenditures)	\$191,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,128,000

NEW SECTION. Sec. 1025. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Water System Acquisition and Rehabilitation Program (06-4-850)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation must be jointly administered by the department of health, the public works board, and the department of community, trade, and economic development using the drinking water state revolving fund loan program as an administrative model. In order to expedite the use of these funds and minimize administration costs, this reappropriation must be administered by guidance, rather than rule. Projects must generally be prioritized using the drinking water state revolving fund loan program criteria. All financing provided through this program must be in the form of grants that must partially cover project costs. The maximum grant to any eligible entity may not exceed twenty-five percent of the funds allocated to this appropriation.

Reappropriation:

State Building Construction Account--State	\$1,706,000
Prior Biennia (Expenditures)	\$295,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,001,000

NEW SECTION. Sec. 1026. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Grays Harbor Public Utility District Bioenergy Project (06-4-852)

Reappropriation:

Energy Freedom Account--State	\$2,100,000
Prior Biennia (Expenditures)	\$3,900,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,000,000

NEW SECTION. Sec. 1027. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Building for the Arts Grants (07-4-001)

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

- (1) The appropriation is subject to the provisions of RCW 43.63A.750.
- (2) The appropriation is provided solely for the following list of projects:

Projects	Location	Recommendation
Wing Luke Asian museum	Seattle	\$2,000,000
Friends of Gladish	Pullman	\$48,000
Town hall association	Seattle	\$750,000
Duwamish tribal services	Seattle	\$275,000
Seattle art museum	Seattle	\$1,750,000
Village theatre	Issaquah	\$575,000
Artspace projects, Inc.	Seattle	\$1,000,000
Suquamish foundation	Suquamish	\$550,000
Edmonds center for the arts	Edmonds	\$1,000,000
The Merc playhouse society	Twisp	\$9,500
Orcas open arts	Eastsound	\$70,000
Whatcom film association	Bellingham	\$325,000
Whatcom museum society	Bellingham	\$1,000,000
Seattle theatre group	Seattle	\$750,000
Confluence gallery	Twisp	\$77,000
Columbia theatre association	Longview	\$750,000
San Juan community theatre	Friday Harbor	\$193,000

Harlequin productions	Olympia	\$75,000
Northshore performing arts center	Bothell	\$350,000
Tacoma musical playhouse	Tacoma	\$75,000
Wing it productions	Seattle	\$20,000
826 Seattle	Seattle	\$7,500
Cornish College of the Arts	Seattle	\$350,000

Total **\$12,000,000**

Appropriation:

State Building Construction Account--State	\$12,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$48,000,000
TOTAL	\$60,000,000

NEW SECTION. Sec. 1028. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
Community Economic Revitalization Board (07-4-015)

The appropriation in this section is subject to the following conditions and limitations: A maximum of twenty-five percent of the appropriation may be used for grants.

Appropriation:

State Building Construction Account--State	\$12,711,000
Public Facility Construction Loan Revolving Account--State	\$7,289,000
Subtotal Appropriation	\$20,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$24,000,000
TOTAL	\$44,000,000

NEW SECTION. Sec. 1029. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
Community Services Facilities Grants (07-4-002)

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

- (1) The appropriation is subject to the provisions of RCW 43.63A.125.
- (2) The appropriation is provided solely for the following list of projects:

Projects	Location	Recommendation
West Seattle food bank	Seattle	\$400,000
Compass health	Lynnwood	\$37,000
Neighborhood house	Seattle	\$1,000,000
White Center emergency food association	White Center	\$184,000
Garden-raised bounty	Olympia	\$170,000
Food lifeline	Seattle	\$122,000
Marysville food bank	Marysville	\$187,000
Maple Valley food bank	Maple Valley	\$117,000
The Arc of Whatcom county	Bellingham	\$158,000
CAC of Lewis, Mason, and Thurston county	Lacey	\$260,000
South county senior center	Edmonds	\$200,000
Chief Seattle club	Seattle	\$350,000
Senior center of West Seattle	Seattle	\$500,000
YMCA of Snohomish county	Monroe	\$1,000,000
The Salvation Army - Spokane	Spokane	\$275,000
Asian counseling and referral services	Seattle	\$1,000,000
Camas institute foundation	Usk	\$650,000

Youth eastside services	Bellevue	\$750,000
YMCA of Snohomish county	Everett	\$275,000
Bellingham food bank	Bellingham	\$400,000
N.A.T.I.V.E. project	Spokane	\$375,000
Brigid Collins family support center	Bellingham	\$400,000
Family resource center	Redmond	\$150,000
Morningside	Olympia	\$587,000
First step family support center	Port Angeles	\$200,000
Olympic community action programs	Port Townsend	\$400,000

Total **\$10,147,000**

Appropriation:

State Building Construction Account--State	\$10,147,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$40,000,000
TOTAL	\$50,147,000

NEW SECTION. Sec. 1030. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Drinking Water Assistance Program (07-4-004)

Appropriation:

Drinking Water Assistance Account--State	\$7,200,000
Drinking Water Assistance Repayment Account--State	\$21,100,000
Subtotal Appropriation	\$28,300,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$155,400,000
TOTAL	\$183,700,000

NEW SECTION. Sec. 1031. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Housing Assistance, Weatherization, and Affordable Housing (07-4-009)

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

- (1) \$9,000,000 of the appropriation is provided solely for weatherization administered through the energy matchmakers program.
- (2) \$5,000,000 of the appropriation is provided solely to promote development of safe and affordable housing units for persons eligible for services from the division of developmental disabilities within the department of social and health services.
- (3) \$2,500,000 of the appropriation is provided solely for grants to nonprofit organizations and public housing authorities for revolving loan, self-help housing programs for low and moderate income families.
- (4) \$1,000,000 of the appropriation is provided solely for shelters, transitional housing, or other housing facilities for victims of domestic violence.
- (5) \$8,000,000 of the appropriation is provided solely for facilities housing low-income migrant, seasonal, or temporary farmworkers. The operation of the facilities built under this section shall be in compliance with 8 U.S.C. Sec. 1342. The department shall work with the farmworker housing advisory committee to prioritize funding of projects to the areas of highest need. Funding may also be provided, to the extent qualified projects are submitted, for health and safety projects.
- (6) \$5,000,000 of the appropriation is provided solely for the development of emergency shelters and transitional housing opportunities for homeless families with children.
- (7) \$2,500,000 of the appropriation is provided solely for the development of farm infrastructure improvements.
- (8) \$1,500,000 of the appropriation is provided solely for the development of housing for low-income or homeless Native Americans. The department shall work with Native American tribes, not-for-profit organizations with experience in serving Native American populations, and Native American housing development organizations to prioritize projects located in the areas of highest identified need.
- (9) \$4,000,000 of the appropriation is provided solely for loans and grants to eligible organizations to purchase manufactured/mobile home communities with the intent of preserving the communities for affordable housing.
- (10) The appropriation in this section shall not be used for the administrative costs of the department. The amount of the appropriation shall be included in the calculation of annual funds available for determining the administrative costs authorized under RCW 43.185.050.

Appropriation:

State Taxable Building Construction Account--State	\$100,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$560,000,000
TOTAL	\$660,000,000

NEW SECTION. Sec. 1032. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Job Development Fund Grants (07-4-010)

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

- (1) Up to \$429,000 of the appropriation in this section is for administration.
- (2) The appropriation is provided solely for the following list of projects:

Projects	Location	Recommendation
Mint farm industrial park phase 2 infrastructure improvements	City of Longview	\$1,982,000
Fruitdale road/McGarigle road improvements	Skagit county	\$2,277,000
Valentine road corridor improvements	City of Pacific	\$4,946,000
Wenatchee waterfront revitalization project	City of Wenatchee	\$10,000,000
Northeast Lacey public infrastructure and economic stimulus package	City of Lacey	\$9,912,000
Soap Lake spa and wellness center	City of Soap Lake	\$1,000,000
Port of Ephrata transportation center	Port of Ephrata	\$471,000
Project Pier 1	Port of Anacortes	\$5,610,000
Totem Lake mall and business center	City of Kirkland	\$3,000,000
Burnham/Borgen interchange improvements	City of Gig Harbor	\$5,000,000
Satsop development park turbine/administration building improvements	Grays Harbor public development authority	\$5,053,000
Technical and scientific service incubator	City of Tacoma	\$250,000
Total		\$49,501,000
Appropriation:		
Job Development Account--State		\$49,930,000
Prior Biennia (Expenditures)		\$0
Future Biennia (Projected Costs)		\$0
TOTAL		\$49,930,000
NEW SECTION. Sec. 1033. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT		
Belfair Sewer Improvements (08-4-852)		
Appropriation:		
Public Works Assistance Account--State		\$4,800,000
Prior Biennia (Expenditures)		\$0
Future Biennia (Projected Costs)		\$0
TOTAL		\$4,800,000
NEW SECTION. Sec. 1034. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT		
Public Works Trust Fund (07-4-005)		
The appropriation in this section is subject to the following conditions and limitations: The department and the public works board shall immediately revise policy for interest rates for loans so that the minimum rate is not less than one percent and the criteria for setting the rate is based on the fiscal capacity of the applicant, with lower interest rates awarded to applicants with lower fiscal capacity. Fiscal capacity shall include a determination of the impact of the project on rate payers compared to rates typically seen in the region. The department and the board shall review all waste water and storm water projects with the department of ecology to determine which projects would result in the greatest improvement to water quality. The department and the public works board shall prioritize waste water and storm water projects to achieve the greatest improvement in water quality and to assist jurisdictions with the lowest fiscal capacity. The list of projects submitted to the legislature for approval in accordance with RCW 43.155.070(6) shall include a summary of the information obtained from the department of ecology and information on fiscal capacity for each project. The department and the public works board shall not count prior loans or grants from any state sources as local matching funds.		
Appropriation:		
Public Works Assistance Account--State		\$327,000,000
Prior Biennia (Expenditures)		\$0
Future Biennia (Projected Costs)		\$1,400,000,000
TOTAL		\$1,727,000,000
NEW SECTION. Sec. 1035. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT		
Rural Washington Loan Fund (07-4-008)		

Appropriation:

Rural Washington Loan Account--State	\$4,127,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$16,508,000
TOTAL	\$20,635,000

NEW SECTION. Sec. 1036. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Youth Recreational Facilities Grants (07-4-003)

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

- (1) The appropriation is subject to the provisions of RCW 43.63A.135.
- (2) Up to \$8,000,000 of the appropriation is provided solely for the following list of projects:

Projects	Location	Recommendation
YMCA of the inland northwest	Spokane	\$800,000
Boys and girls clubs of south Puget Sound	Lakewood	\$300,000
YMCA of Snohomish county	Mukilteo	\$385,000
YMCA of Snohomish county	Everett	\$800,000
Boys and girls club of south Puget Sound	Gig Harbor	\$600,000
Toutle river ranch	Longview	\$525,000
Boys and girls club of Bellevue	Bellevue	\$800,000
YMCA of Tacoma-Pierce county	Gig Harbor	\$800,000
Wenatchee valley YMCA	Wenatchee	\$213,000
YMCA of greater Seattle	Seattle	\$250,000
Maple Valley community center	Maple Valley	\$100,000
Boys and girls clubs of King county	Seattle	\$618,000
Filipino community of Seattle	Seattle	\$146,000
Boys and girls clubs of King county	Seattle	\$800,000
Ferndale boys and girls club	Ferndale	\$863,290
Total		\$8,000,000

(3) Up to \$2,000,000 of the appropriation is for a supplemental list of projects to be selected by the department under the same rules and criteria used for selecting the list of projects in subsection (2) of this section.

Appropriation:

State Building Construction Account--State	\$10,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$32,000,000
TOTAL	\$42,000,000

NEW SECTION. Sec. 1037. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 High Risk Forests Program (08-2-853)

The appropriation in this section is subject to the following conditions and limitations: \$3,000,000 of the appropriation is provided solely for grants to an independent nonprofit land stewardship organization to purchase or lease development rights or conservation easements from willing family forest landowners facing pressure to convert their lands and who desire to keep their land as working forest. The organization shall award grants only for transfer of development rights programs approved by the local government participants.

Appropriation:

State Building Construction Account--State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 1038. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Infrastructure Assistance (08-4-004)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for an infrastructure grant to the city of Tieton for water system improvements.

Appropriation:

State Building Construction Account--State	\$2,627,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,627,000

NEW SECTION. Sec. 1039. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Innovation Partnership Zones (08-2-003)

The appropriation in this section is subject to the following conditions and limitations: Pursuant to chapter . . . (House Bill No. 1091/Senate Bill No. 5090), Laws of 2007 (innovation partnership zones), the state will designate unique areas of the state as innovation partnership zones, where globally competitive companies, research institutions, and advanced training are creating special competitive advantages for the state. From among the innovation partnership zones, using a competitive process based on need, estimated economic impact, geographic diversity, and local matches, five zones or projects will be selected to receive funding authorized by chapter . . . (House Bill No. 1091/Senate Bill No. 5090), Laws of 2007. The appropriation in this section is provided solely for shared telecommunications within the zone, shared infrastructure and facilities, long-term capital purchases, and up to 10 percent for zone administration through the locally-designated innovation partnership zone administrator. If chapter . . . (House Bill No. 1091/Senate Bill No. 5090), Laws of 2007 is not enacted by June 30, 2007, the funds in this section shall lapse.

Appropriation:

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

NEW SECTION. Sec. 1040. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Water System Acquisition Rehabilitation Program (07-4-006)

The appropriation in this section is subject to the following conditions and limitations: \$1,000,000 of the appropriation is provided solely for the city of Republic to acquire the Pine Grove water system.

Appropriation:

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

NEW SECTION. Sec. 1041. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Local and Community Projects (08-4-001)

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

- (1) Except as directed otherwise prior to the effective date of this section, the department shall not expend the appropriations in this section unless and until the nonstate share of project costs have been either expended, or firmly committed, or both, in an amount sufficient to complete the project or a distinct phase of the project that is useable to the public for the purpose intended by the legislature.
- (2) Prior to receiving funds, project recipients must demonstrate that the project site is under control for a minimum of ten years, either through ownership or a long-term lease. This requirement shall not apply to appropriations for preconstruction activities or appropriations whose sole purpose is to purchase real property that does not include a construction or renovation component.
- (3) Projects funded in this section may be required to comply with Washington's high performance building standards as required by chapter 39.35D RCW.
- (4) Project funds are available on a reimbursement basis only, and shall not be advanced under any circumstances.
- (5) Projects funded in this section must be held by the recipient for a minimum of ten years and used for the same purpose or purposes intended by the legislature as required in RCW 43.63A.125(2)(c).
- (6) Projects funded in this section, including those that are owned and operated by nonprofit organizations, are generally required to pay state prevailing wages.
- (7) Funding for preconstruction activities for the Camas and Washougal community and recreation center is contingent on voter approval of a metropolitan park district.
- (8) The appropriation provided in this section for the bridge for kids project shall not be released until the department obtains a report from the project sponsor updating the cost of the project and the current fund raising plan.
- (9) The appropriation provided in this section for the Fox theater shall be provided only under an agreement that the theater shall retain its current name as the Fox theater.
- (10) The appropriation is provided solely for the following list of projects:

Project Name	Amount
Aberdeen union gospel mission	\$562,000
Arts west playhouse and gallery	\$150,000
Ashford cultural center and mountaineering museum	\$800,000
Asian counseling/referral services	\$2,000,000
Ballard Comers park	\$125,000
Beaver mitigation of Little Spokane river	\$75,000

Benton City food bank	\$200,000
Blueberry park improvements	\$5,000
Bowen field	\$500,000
Bremerton downtown economic revitalization - harborside commons	\$1,000,000
Bridge for kids	\$500,000
Brightwater education facility	\$675,000
Burien town square	\$1,600,000
Camp Kilworth land acquisition - Federal Way	\$1,100,000
CASA latina	\$1,000,000
Chehalis branch of timberland library	\$500,000
Chehalis veterans wall of honor security enclosure	\$25,000
Cities of Camas and Washougal community/recreation center design	\$500,000
City of Everett minor league baseball - aquasox	\$433,000
City of Kent event center	\$3,000,000
City of Mount Vernon downtown and waterfront flood control	\$1,000,000
City of Spokane minor league baseball - indians	\$2,000,000
City of Tacoma minor league baseball - rainiers	\$2,500,000
City of Yakima minor league baseball	\$433,000
Civil war cemetery near Volunteer park	\$5,000
Columbia Springs environmental learning center	\$200,000
Confluence project	\$500,000
Counter-Balance park	\$100,000
Covered Bridge park land acquisition and roof repair (Grays river)	\$90,000
Cowlitz drug center	\$580,000
Darrington water system improvements	\$100,000
Daybreak star in Discovery park	\$300,000
Des Moines beach flood project	\$250,000
Dining car historic preservation	\$50,000
Discover park - Fort Lawton	\$700,000
Duwamish longhouse project	\$275,000
El Centro de la Raza center	\$821,000
Emmanuel family life center	\$500,000
Federal Way little league field lighting	\$50,000
Fish Lake trail	\$2,000,000
Fort Dent sewer	\$450,000
Foss waterway	\$1,000,000
Fox theater	\$2,000,000
Goodwill of Tacoma	\$1,500,000
High Point neighborhood center in West Seattle	\$1,000,000
Innovative services northwest	\$1,900,000
Institute for community leadership	\$500,000
Japanese cultural center of Washington	\$750,000
Jewish federation of greater Seattle	\$900,000
Kent alliance center	\$500,000
Kitsap community resources	\$900,000
Kitsap SEED program	\$1,100,000
Klickitat law enforcement firing range	\$20,000
Korean women's association center	\$1,500,000
Kruckeberg botanical garden	\$150,000
Lake Stevens civic center	\$800,000
Lake Stevens senior center	\$200,000
Lake Waughop/department of ecology aquatic weeds	\$50,000
Library connection at Greenbridge	\$200,000
Lions club renovation	\$110,000
Long Lake nutrient reduction	\$300,000
Loon Lake wood waste removal pilot study	\$350,000
Lucy Lopez center land acquisition	\$750,000
McCaw hall	\$3,000,000
Mirabeau Point Children's Universal park	\$800,000
Morning star cultural center	\$300,000
Mountain to sound - state route 18/I90 interchange	\$1,100,000
Nisei veterans committee	\$250,000
Nordic heritage museum	\$1,500,000
Northwest harvest	\$3,000,000
Northwest museum of arts and culture	\$1,000,000
Palouse street safety improvements	\$210,000
Pedestrian overpass state route 395 and court street	\$400,000
Perry technical institute hanger	\$250,000
Pike Place market	\$1,070,000
Prime time repairs (terminally ill kids)	\$250,000
River walk trail--Puyallup	\$600,000
Salishan housing community	\$3,000,000
Sea Mar family housing community	\$800,000

Seatac World War I memorial plaza	\$300,000
Seattle art museum	\$1,250,000
Seattle Chinese garden	\$500,000
Shoreline YMCA	\$800,000
Spokane east central community center	\$150,000
Spokane northeast community center	\$1,000,000
Spokane Valley community center and foodbank	\$260,000
Spokane YWCA/YMCA joint project	\$2,500,000
Springwood youth center in Kent	\$500,000
Suquamish inviting house construction	\$1,000,000
Tacoma Narrows bridge lights	\$1,500,000
Tanaskat viewing platform	\$100,000
Tanbara clinic - East Tacoma community	\$750,000
The Northwest maritime center	\$1,000,000
The Tri-Cities minor league baseball	\$666,000
Thurston county small business incubator	\$750,000
Tokeland/North Cove water tank for fire	\$10,000
Turning point domestic violence shelter	\$700,000
University Place town square plaza	\$1,000,000
ValHalla hall	\$700,000
Vancouver national historic reserve	\$1,000,000
Wapato Filipino-American center	\$118,000
White Center Heights park	\$400,000
White Salmon water improvement	\$1,500,000
Willapa Harbor community center	\$300,000
Wing-It production's historic theater	\$20,000
Yakima domestic violence shelter	\$200,000
Yakima downtown futures initiative phase 3	\$1,000,000
YMCA of Snohomish county: Ebey Island project	\$2,200,000

Total \$83,988,000

Appropriation:

State Building Construction Account--State	\$83,988,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$83,988,000

NEW SECTION. Sec. 1042. FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT
 Grays Harbor Wind Project (08-4-950)

Appropriation:

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

NEW SECTION. Sec. 1043. FOR THE OFFICE OF FINANCIAL MANAGEMENT
 Graving Dock Settlement (08-4-001)

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

(1) The appropriation in this section is provided solely for the purposes of settling all identified and potential claims from the port of Port Angeles and the city of Port Angeles related to the construction of a graving dock facility on the graving dock property. In conjunction with the settlement agreement in *Lower Elwha Klallam Tribe et al v. State et al*, Thurston county superior court, cause no. 05-2-01595-8, the city of Port Angeles, port of Port Angeles, and the state of Washington entered into an economic development agreement which settles all claims related to graving dock property and associated construction and releases the state from all claims related to the construction of the graving dock facilities. The expenditure of this appropriation is contingent on the conditions and limitation set forth in subsections (2), (3), and (4) of this section.

(2) \$7,500,000 of the state building construction account--state appropriation is provided solely for the city of Port Angeles for funding capital projects intended to enhance economic development.

(3) \$7,500,000 of the state building construction account--state appropriation is provided solely for the port of Port Angeles for funding capital projects intended to enhance economic development.

(4) \$480,000 of the state building construction account--state appropriation is provided solely for the city of Port Angeles for archaeological work as specified in the settlement agreement.

Appropriation:

State Building Construction Account--State	\$15,480,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$15,480,000

NEW SECTION. Sec. 1044. FOR THE OFFICE OF FINANCIAL MANAGEMENT
 Snohomish, Island, and Skagit County Regional Higher Education (08-2-001)

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

(1) Up to \$1,500,000 is for the office of financial management to assess options and make recommendations on the siting of a higher education institution in the Snohomish-Island-Skagit county region. The office of financial management shall develop the operational and management plans needed to establish the institution, including but not limited to: A master business plan for design and implementation; governance; site selection; and programs to be offered to address demographic pressures and workforce needs. Planning and analysis shall be done in coordination with the local community and existing higher education institutions. The office of financial management shall evaluate sites based on, but not limited to, the following criteria: Meeting the objectives of the master business plan; meeting the unmet baccalaureate needs in the region including high demand program needs; compliance with provisions of the state's growth management act; and accessibility from existing and planned transportation infrastructure.

(2) The office of financial management shall report its findings to the governor and the appropriate committees of the senate and house of representatives by December 1, 2007.

(3) The office of financial management may contract with outside sources to carry out the provisions of this section.

(4) \$2,500,000 is provided solely for the office of financial management to purchase or to secure purchase options on a site for the institution. If a site is available for the recommended development alternative at no cost, or for less than the amount appropriated, the remainder shall instead be applied to predesign of recommended facilities and infrastructure.

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. 1045. FOR THE OFFICE OF FINANCIAL MANAGEMENT
 Higher Education Cost Escalation (08-2-854)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the office of financial management to assist public baccalaureate higher education institutions in managing unanticipated cost escalation for projects bid during the 2007-2009 biennium. Not more than \$750,000 shall be made available to any single project and amounts used must be matched equally from nonstate resources. The office of financial management shall manage the distribution of funds to ensure that the requesting college has managed its project within the current appropriation through preparation of bid documents and that the scope of the project is no greater than originally specified in the design. For purposes of this section, "nonstate resources" may include tuition revenues and funds appropriated from an institution's local capital project account for a minor works project under this act. Prior to approving use of a local account appropriation as a match, and its transfer to the project with unanticipated cost escalation, the office of financial management shall require the institution to describe what it has done to identify and develop alternative nonstate resources for a match, and the specific minor works projects that would be deferred as a result of the transfer. The office of financial management shall report to the appropriate fiscal committees of the legislature on the use of these funds.

Appropriation:

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

NEW SECTION. Sec. 1046. FOR THE OFFICE OF FINANCIAL MANAGEMENT
 Oversight of State Facilities (08-2-855)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the office of financial management to strengthen its oversight role in state facility analysis and decision making as generally described in chapter . . . (Substitute House Bill No. 2366), Laws of 2007.

Appropriation:

State Building Construction Account--State	\$1,015,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,015,000

NEW SECTION. Sec. 1047. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Transportation Building Preservation (02-1-008)

Reappropriation:

Thurston County Capital Facilities Account--State	\$2,928,000
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Appropriation:

Thurston County Capital Facilities Account--State	\$3,425,000
Prior Biennia (Expenditures)	\$5,252,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,605,000

NEW SECTION. Sec. 1048. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Capitol Public/Historic Facilities: Preservation Minor Works (06-1-006)

Reappropriation:	
State Building Construction Account--State	\$327,000
Prior Biennia (Expenditures)	\$673,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 1049. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Heritage Park Development (01-H-004)

Reappropriation:	
State Building Construction Account--State	\$2,000
Prior Biennia (Expenditures)	\$1,676,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,678,000

NEW SECTION. Sec. 1050. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Engineering and Architectural Services (06-2-012)

Reappropriation:	
Community/Technical College Capital Projects Account--State	\$850,000
Prior Biennia (Expenditures)	\$874,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,724,000

NEW SECTION. Sec. 1051. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Highway-License Building Repair and Renewal (06-1-013)

Reappropriation:	
Thurston County Capital Facilities Account--State	\$497,000
Appropriation:	
Thurston County Capital Facilities Account--State	\$2,598,000
Prior Biennia (Expenditures)	\$354,000
Future Biennia (Projected Costs)	\$1,639,000
TOTAL	\$5,088,000

NEW SECTION. Sec. 1052. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Natural Resources Building Repairs and Renewal (06-1-014)

Reappropriation:	
Thurston County Capital Facilities Account--State	\$269,000
Appropriation:	
State Vehicle Parking Account--State	\$258,000
Thurston County Capital Facilities Account--State	\$2,223,000
Subtotal Appropriation	\$2,481,000
Prior Biennia (Expenditures)	\$233,000
Future Biennia (Projected Costs)	\$5,266,000
TOTAL	\$8,249,000

NEW SECTION. Sec. 1053. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Statewide Infrastructure: Preservation Minor Works (06-1-004)

Reappropriation:	
State Vehicle Parking Account--State	\$31,000
State Building Construction Account--State	\$246,000
Thurston County Capital Facilities Account--State	\$1,824,000
Subtotal Reappropriation	\$2,101,000
Prior Biennia (Expenditures)	\$918,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,019,000

NEW SECTION. Sec. 1054. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Statewide Office Facilities: Preservation Minor Works (06-1-003)

Reappropriation:

Thurston County Capital Facilities Account--State	\$812,000
General Administration Service Account--State	\$510,000
Subtotal Reappropriation	\$1,322,000
Prior Biennia (Expenditures)	\$3,558,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,880,000

NEW SECTION. Sec. 1055. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Statewide Parking Facilities: Preservation Minor Works (06-1-007)

Reappropriation:

State Vehicle Parking Account--State	\$697,000
Prior Biennia (Expenditures)	\$183,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$880,000

NEW SECTION. Sec. 1056. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Capitol Campus High Voltage System Improvements (08-1-010)

Appropriation:

State Building Construction Account--State	\$2,204,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,204,000

NEW SECTION. Sec. 1057. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Deferred Maintenance (08-1-018)

Appropriation:

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

NEW SECTION. Sec. 1058. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Emergency Repairs (08-1-001)

Appropriation:

State Building Construction Account--State	\$350,000
Thurston County Capital Facilities Account--State	\$900,000
General Administration Service Account--State	\$150,000
Subtotal Appropriation	\$1,400,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$6,000,000
TOTAL	\$7,400,000

NEW SECTION. Sec. 1059. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Engineering and Architectural Services (08-2-013)

Appropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$380,000
State Vehicle Parking Account--State	\$133,000
State Building Construction Account--State	\$12,340,000
Thurston County Capital Facilities Account--State	\$461,000
General Administration Service Account--State	\$104,000
Subtotal Appropriation	\$13,418,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$42,815,000
TOTAL	\$56,233,000

NEW SECTION. Sec. 1060. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Legislative Building Improvements (08-1-011)

The appropriation in this section is subject to the following conditions and limitations: \$25,000 of the appropriation is provided solely to establish a legislative gift center created in chapter . . . (Second Substitute House Bill No. 1896), Laws of 2007. If the bill is not enacted by June 30, 2007, the appropriation shall lapse.

Appropriation:

Capitol Building Construction Account--State	\$676,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,836,000
TOTAL	\$3,512,000

NEW SECTION. Sec. 1061. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

Minor Works - Facility Preservation (08-1-015)

Appropriation:

Capitol Building Construction Account--State	\$1,715,000
State Building Construction Account--State	\$1,456,000
Thurston County Capital Facilities Account--State	\$3,634,000
General Administration Service Account--State	\$1,386,000
Subtotal Appropriation	\$8,191,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,365,000
TOTAL	\$28,556,000

NEW SECTION. Sec. 1062. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

Minor Works - Infrastructure Preservation (08-1-004)

Appropriation:

Capitol Building Construction Account--State	\$600,000
State Vehicle Parking Account--State	\$22,000
State Building Construction Account--State	\$3,000,000
Thurston County Capital Facilities Account--State	\$1,899,000
General Administration Service Account--State	\$200,000
Subtotal Appropriation	\$5,721,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$7,006,000
TOTAL	\$12,727,000

NEW SECTION. Sec. 1063. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

Minor Works - Program (08-2-012)

The appropriation in this section is subject to the following conditions and limitations: The department shall post signs on eastbound and westbound 5th avenue in Olympia, Washington over Capitol Lake dam to notify cyclists that the bike lanes discontinue.

Appropriation:

State Building Construction Account--State	\$370,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,720,000
TOTAL	\$3,090,000

NEW SECTION. Sec. 1064. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

O'Brien Building Improvements (08-1-007)

Appropriation:

State Building Construction Account--State	\$2,981,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$15,501,000
TOTAL	\$18,482,000

NEW SECTION. Sec. 1065. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

Pritchard Building Rehabilitation (08-2-017)

Appropriation:

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

NEW SECTION. Sec. 1066. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

Heritage Center/Executive Office Building Development (08-2-954)

The appropriation in this section is subject to the following conditions and limitations: Planning funds are provided for the development of a heritage center and executive office building on the west capitol campus. The project shall be procured under a general contractor construction management contract. Prior to issuing the request for proposals for the project, the department shall report to the appropriate committees of the legislature the results of: (1) A detailed analysis of the soils of the proposed development site, including the stability of the soils and the affect on the cost of the project; and (2) cost reduction options resulting from a detailed "best study" or value engineering study. The report to the legislature shall be submitted prior to January 1, 2008. The request for proposal shall not be released prior to February 1, 2008.

Appropriation:

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

NEW SECTION. Sec. 1067. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Wheeler Block Development--Department of Information Services, State Patrol, and General Office (08-2-950)

The appropriation in this section is subject to the following conditions and limitations: Planning funds are provided to lease/develop state office buildings and facilities for the department of information services on the "Wheeler block" of the east capitol campus. The office buildings shall be constructed and financed so that agencies' occupancy costs will not exceed comparable private market rental rates. The comparable general office space rate shall be calculated based on recent Thurston county leases of new space of at least 100,000 rentable square feet adjusted for known escalation clauses, expected inflation, and differences in the level of service provided by the comparable leases as determined by the department of general administration. In addition to the department of information services, state agency tenants shall include the state patrol and other state agencies specified in LEAP capital document No. 2007-xx. The department shall also coordinate with state agency tenants of the existing general administration building that will not be relocated to the new facilities of the "Wheeler block" for occupancy of state-owned or existing leased facilities vacated by the state patrol or the department of information services.

Appropriation:

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

NEW SECTION. Sec. 1068. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Emergency Newhouse Repairs and South Campus Plan (08-2-952)

Appropriation:

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

NEW SECTION. Sec. 1069. FOR THE DEPARTMENT OF GENERAL ADMINISTRATION
 Capital Lake Plan Completion (08-2-953)

Appropriation:

State Building Construction Account--State	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 1070. FOR THE MILITARY DEPARTMENT
 Omnibus Support to Federal Preservation Projects (06-1-003)

Reappropriation:

State Building Construction Account--State	\$1,500,000
Prior Biennia (Expenditures)	\$5,993,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,493,000

NEW SECTION. Sec. 1071. FOR THE MILITARY DEPARTMENT
 Auditorium and Instructor Support Facility (06-2-003)

Reappropriation:

General Fund--Federal	\$1,240,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0

TOTAL \$1,240,000

NEW SECTION. Sec. 1072. FOR THE MILITARY DEPARTMENT
 Omnibus Support for Federal Minor Works Projects-Statewide (06-2-001)

Reappropriation:

State Building Construction Account--State \$846,000
 General Fund--Federal \$7,200,000
 Subtotal Reappropriation \$8,046,000

 Prior Biennia (Expenditures) \$1,154,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$9,200,000

NEW SECTION. Sec. 1073. FOR THE MILITARY DEPARTMENT
 Modular Building Reutilization (08-2-001)

Reappropriation:

State Building Construction Account--State \$1,850,000

 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,850,000

NEW SECTION. Sec. 1074. FOR THE MILITARY DEPARTMENT
 Energy Conservation Project (08-2-005)

Appropriation:

General Fund--Federal \$275,000
 State Building Construction Account--State \$275,000
 Subtotal Appropriation \$550,000

 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$550,000

NEW SECTION. Sec. 1075. FOR THE MILITARY DEPARTMENT
 Minor Works - Facility Preservation (08-1-004)

Appropriation:

General Fund--Federal \$5,522,000
 State Building Construction Account--State \$2,801,000
 Subtotal Appropriation \$8,323,000

 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$35,867,000
 TOTAL \$44,190,000

NEW SECTION. Sec. 1076. FOR THE MILITARY DEPARTMENT
 Minor Works - Program (08-2-003)

Appropriation:

General Fund--Federal \$4,938,000
 State Building Construction Account--State \$1,665,000
 Subtotal Appropriation \$6,603,000

 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$36,215,000
 TOTAL \$42,818,000

NEW SECTION. Sec. 1077. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION
 Historical Preservation (06-4-009)

Reappropriation:

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

 Prior Biennia (Expenditures) \$4,500,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$5,000,000

NEW SECTION. Sec. 1078. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION
 Historical Courthouse Rehabilitation (08-2-851)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for courthouse protection and preservation, including character defining architectural features, general repairs, system upgrades, payments for renovations completed since January 1, 2006, and improvements to access and accommodations for persons with disabilities. By July 1, 2007, the department shall revise the existing eligibility criteria and grant application process to include review of projects selected for funding by the courthouse advisory committee. Those projects chosen for funding shall undergo a review by the department of general administration's barrier free program to ensure that they meet Americans with disabilities act standards and accessibility and all other Americans with disabilities act requirements are maintained during the construction. The existing historic courthouse advisory committee shall continue to review grant applications and make funding recommendations to the state historic preservation officer. All rehabilitation work shall comply with the secretary of interior's standards for rehabilitation. Grants shall not be used for expenditures for courthouse maintenance. Only counties with historic courthouses that continue to maintain county functions are eligible for grants. Counties receiving grants shall provide an equal amount of matching funds from public or private sources. The department shall use up to two percent of the appropriation for program administration.

Appropriation:

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

NEW SECTION. Sec. 1079. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION
 Historic Barn Preservation (08-4-851)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for implementation of the historic barn preservation program created in chapter . . . (Substitute House Bill No. 2115), Laws of 2007. If the bill is not enacted by June 30, 2007, the appropriation shall lapse.

Appropriation:

State Building Construction Account--State	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 1080. FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION
 Inventory of Historic Theaters (08-2-950)

Appropriation:

State Building Construction Account--State	\$150,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$150,000

NEW SECTION. Sec. 1081. FOR THE STATE CONVENTION AND TRADE CENTER
 Minor Works - Facility Preservation (08-1-001)

Appropriation:

State Convention and Trade Center Account--State	\$5,990,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,990,000

NEW SECTION. Sec. 1082. FOR THE STATE CONVENTION AND TRADE CENTER
 Omnibus Minor Works (06-1-001)

Reappropriation:

State Convention and Trade Center Account--State	\$995,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$995,000

**PART 2
 HUMAN SERVICES**

NEW SECTION. Sec. 2001. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION
 Mapping of K-8 Schools (08-4-003)

Appropriation:

State Building Construction Account--State	\$6,236,000
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Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,236,000

NEW SECTION. Sec. 2002. FOR THE CRIMINAL JUSTICE TRAINING COMMISSION
 Minor Works - Preservation (08-1-002)

Appropriation:	
State Building Construction Account--State	\$598,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$598,000

NEW SECTION. Sec. 2003. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
 Echo Glen Children's Center-Housing Units (00-1-041)

Reappropriation:	
State Building Construction Account--State	\$5,700,000
Prior Biennia (Expenditures)	\$6,292,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,992,000

NEW SECTION. Sec. 2004. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
 Developmental Disabilities: Omnibus Programmatic Projects (06-2-465)

Reappropriation:	
State Building Construction Account--State	\$800,000
Prior Biennia (Expenditures)	\$700,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,500,000

NEW SECTION. Sec. 2005. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
 Eastern State Hospital-Westlake Building: Fire Alarm Upgrades (06-1-370)

Reappropriation:	
State Building Construction Account--State	\$1,500,000
Prior Biennia (Expenditures)	\$150,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,650,000

NEW SECTION. Sec. 2006. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
 Fircrest School - Health and Safety Improvements (06-1-852)

Reappropriation:	
Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$300,000
Prior Biennia (Expenditures)	\$350,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$650,000

NEW SECTION. Sec. 2007. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
 Green Hill School: New IMU, Health Center, and Administration (06-2-202)

The appropriation in this section is subject to the following conditions and limitations: The new appropriation is provided solely for a new intensive management unit and health center at either Green Hill school or Maple Lane school. The department shall not expend any of the funds until May 1, 2008. The department shall submit a report to the appropriate committees of the legislature by January 1, 2008, containing the following information: (1) Unused bed capacity in state and county juvenile rehabilitation facilities; (2) an analysis of the distinguishing characteristics of resident populations at the different state facilities and the residents in county facilities; and (3) the different utilization rates of intensive management beds at Green Hill, Maple Lane, and Echo Glenn. This analysis shall include the number of occupied intensive management unit beds at each facility, the average length of stay in intensive management unit beds at each facility, and rate of repeated use of intensive management unit beds for the same residents.

Reappropriation:	
State Building Construction Account--State	\$900,000
Appropriation:	
State Building Construction Account--State	\$13,325,000
Prior Biennia (Expenditures)	\$350,000

Future Biennia (Projected Costs) \$0
 TOTAL \$14,575,000

NEW SECTION. Sec. 2008. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
 Juvenile Rehabilitation: Omnibus Programmatic Projects (06-2-265)

Reappropriation:
 Charitable, Educational, Penal, and Reformatory Institutions Account--State \$850,000
 Prior Biennia (Expenditures) \$150,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,000,000

NEW SECTION. Sec. 2009. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
 Lakeland Village-Nine Cottages: Renovation, Phase 4, 5, and 6 (06-1-402)

Reappropriation:
 State Building Construction Account--State \$2,000,000
 Appropriation:
 State Building Construction Account--State \$2,990,000
 Prior Biennia (Expenditures) \$400,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$5,390,000

NEW SECTION. Sec. 2010. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
 Mental Health Division-CLIP Facilities: Preservation (06-4-353)

The appropriations in the section are subject to the following conditions and limitations: The department shall evaluate options for maximizing federal fund contributions for capital needs of privately-owned facilities that contract with the department for children's long-term inpatient program services and report to the appropriate fiscal committees of the legislature by September 1, 2007.

Reappropriation:
 State Building Construction Account--State \$600,000
 Appropriation:
 State Building Construction Account--State \$2,381,000
 State and Local Improvements Revolving Account--State \$20,000
 Subtotal Appropriation \$2,401,000
 Prior Biennia (Expenditures) \$700,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$3,701,000

NEW SECTION. Sec. 2011. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
 Mental Health Division-Eastern Washington: Evaluation and Treatment (06-4-352)

Reappropriation:
 State Building Construction Account--State \$1,500,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,500,000

NEW SECTION. Sec. 2012. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
 Mental Health: Omnibus Programmatic Projects (06-2-365)

Reappropriation:
 State Building Construction Account--State \$400,000
 Prior Biennia (Expenditures) \$600,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,000,000

NEW SECTION. Sec. 2013. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
 Omnibus Preservation: Facility Preservation (06-1-112)

Reappropriation:
 State Building Construction Account--State \$1,000,000
 Prior Biennia (Expenditures) \$2,000,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$3,000,000

NEW SECTION. Sec. 2014. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Omnibus Preservation: Health, Safety, and Code Requirements (06-1-111)

Reappropriation:	
State Building Construction Account--State	\$2,900,000
Prior Biennia (Expenditures)	\$2,100,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 2015. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Omnibus Preservation: Infrastructure Preservation (06-1-113)

Reappropriation:	
State Building Construction Account--State	\$1,500,000
Prior Biennia (Expenditures)	\$1,500,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 2016. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Rainier School: Storm and Sanitary Sewer, Phase 3 (06-1-853)

Reappropriation:	
State Building Construction Account--State	\$60,000
Appropriation:	
State Building Construction Account--State	\$665,000
Prior Biennia (Expenditures)	\$40,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$765,000

NEW SECTION. Sec. 2017. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Statewide: Emergency and Unanticipated Repair Projects (06-1-101)

Reappropriation:	
State Building Construction Account--State	\$170,000
Prior Biennia (Expenditures)	\$630,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$800,000

NEW SECTION. Sec. 2018. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Statewide: Hazards Abatement and Demolition (06-1-119)

Reappropriation:	
Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$400,000
Prior Biennia (Expenditures)	\$900,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,300,000

NEW SECTION. Sec. 2019. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Statewide: Facilities Assessment and Cultural Resources Planning (06-1-120)

Reappropriation:	
Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$270,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$270,000

NEW SECTION. Sec. 2020. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Capital Project Management (08-1-110)

Appropriation:	
Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$2,555,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$11,870,000
TOTAL	\$14,425,000

NEW SECTION. Sec. 2021. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Echo Glen Children's Center: Housing Units Renovation (08-1-041)

Appropriation:

State Building Construction Account--State	\$5,400,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$13,185,000
TOTAL	\$18,585,000

NEW SECTION. Sec. 2022. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Emergency Repairs (08-1-101)

Appropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$933,000
State Social and Health Services Construction Account--State	\$67,000
Subtotal Appropriation	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$4,000,000
TOTAL	\$5,000,000

NEW SECTION. Sec. 2023. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Hazards Abatement and Demolition (08-1-119)

Appropriation:

State Building Construction Account--State	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$5,200,000
TOTAL	\$6,200,000

NEW SECTION. Sec. 2024. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Minor Works - Facility Preservation (08-1-112)

Appropriation:

State Building Construction Account--State	\$9,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$50,500,000
TOTAL	\$59,500,000

NEW SECTION. Sec. 2025. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Minor Works - Health, Safety, and Code Requirements (08-1-111)

Appropriation:

State Building Construction Account--State	\$6,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	\$26,000,000

NEW SECTION. Sec. 2026. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Minor Works - Infrastructure Preservation (08-1-113)

Appropriation:

State Building Construction Account--State	\$6,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$23,000,000
TOTAL	\$29,500,000

NEW SECTION. Sec. 2027. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Minor Works - Program Projects (08-2-365)

The appropriation in this section is subject to the following conditions and limitations: Up to \$250,000 is provided for roof repairs of historic homes on the grounds of western state hospital.

Appropriation:

State Building Construction Account--State	\$1,480,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$10,000,000
TOTAL	\$11,480,000

NEW SECTION. Sec. 2028. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Special Commitment Center Medium Management Housing Addition (08-2-505)

The appropriation in this section is subject to the following conditions and limitations: Funding is for the evaluation of design alternatives to meet programmatic needs.

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. 2029. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Upgrade Eastern State Hospital Communications Systems (08-1-306)

Appropriation:	
State Building Construction Account--State	\$2,280,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,280,000

NEW SECTION. Sec. 2030. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Utility Replacements at the Special Commitment Center (08-1-504)

Appropriation:	
State Building Construction Account--State	\$3,040,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,040,000

NEW SECTION. Sec. 2031. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Western State Hospital Laundry Upgrades (08-1-325)

Appropriation:	
State Building Construction Account--State	\$885,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$885,000

NEW SECTION. Sec. 2032. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Western State Hospital New Kitchen and Commissary Building (08-1-319)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for predesign and design of a new kitchen and commissary building at western state hospital. The office of financial management shall not allot design funding until a predesign has been submitted to the legislative fiscal committees and to the office of financial management for review and approval. The predesign must assess cook chill alternatives showing staffing and other operating efficiencies such as providing food for the special commitment center and other facilities located in Pierce county.

Appropriation:	
State Building Construction Account--State	\$650,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$9,820,000
TOTAL	\$10,470,000

NEW SECTION. Sec. 2033. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Rainier School Waste Treatment Plant (08-2-001)

Appropriation:	
State Building Construction Account--State	\$4,200,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,200,000

NEW SECTION. Sec. 2034. FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES
JRA Camp Outlook-Basic Training Camp (08-2-205)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for a final site selection and preliminary plans for a permanent facility for camp outlook. The department shall further explore possible existing facilities that would support the privately operated program. If the preferred location remains at Connell, Washington, the department shall ensure that the planned facility shall be designed to minimize the added cost for the program, and retain its cost effectiveness when debt service costs for the new facility are included. The department shall submit a report to the appropriate committees of the legislature before September 1, 2008, with the recommended plan for the facility.

Appropriation:

State Building Construction Account--State	\$150,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$4,000,000
TOTAL	\$4,150,000

NEW SECTION. Sec. 2035. FOR THE DEPARTMENT OF HEALTH
Public Health Laboratory: Chiller Plant Upgrade (02-1-004)

Reappropriation:

State Building Construction Account--State	\$474,000
Prior Biennia (Expenditures)	\$2,380,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,854,000

NEW SECTION. Sec. 2036. FOR THE DEPARTMENT OF HEALTH
Public Health Laboratory: Roof Replacement (06-1-002)

Reappropriation:

State Building Construction Account--State	\$898,000
Prior Biennia (Expenditures)	\$727,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,625,000

NEW SECTION. Sec. 2037. FOR THE DEPARTMENT OF HEALTH
Minor Works - Facility Preservation (08-1-001)

Appropriation:

State Building Construction Account--State	\$386,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,531,000
TOTAL	\$2,917,000

NEW SECTION. Sec. 2038. FOR THE DEPARTMENT OF HEALTH
Minor Works - Program (08-2-004)

Appropriation:

State Building Construction Account--State	\$135,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$1,542,000
TOTAL	\$1,677,000

NEW SECTION. Sec. 2039. FOR THE DEPARTMENT OF HEALTH
Public Health Laboratory Addition (08-2-003)

Appropriation:

State Building Construction Account--State	\$1,184,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$8,984,000
TOTAL	\$10,168,000

NEW SECTION. Sec. 2040. FOR THE DEPARTMENT OF HEALTH
Public Health Laboratory Heating, Ventilation, and Air Conditioning Systems Upgrades (08-1-002)

Appropriation:

State Building Construction Account--State	\$4,912,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,912,000

NEW SECTION. Sec. 2041. FOR THE DEPARTMENT OF HEALTH
Shoreline Campus Master Plan (08-2-005)

Appropriation:	
State Building Construction Account--State	\$255,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$255,000

NEW SECTION. Sec. 2042. FOR THE DEPARTMENT OF HEALTH
Drinking Water Assistance Program (06-4-001)

Reappropriation:	
Drinking Water Assistance Account--Federal	\$18,588,000
Appropriation:	
Drinking Water Assistance Account--Federal	\$54,300,000
Prior Biennia (Expenditures)	\$7,086,000
Future Biennia (Projected Costs)	\$99,360,000
TOTAL	\$179,334,000

NEW SECTION. Sec. 2043. FOR THE DEPARTMENT OF VETERANS AFFAIRS
Building 10 Assisted Living Upgrades (08-2-005)

Appropriation:	
Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$1,242,000
State Building Construction Account--State	\$571,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,813,000

NEW SECTION. Sec. 2044. FOR THE DEPARTMENT OF VETERANS AFFAIRS
Minor Works - Facility Preservation (08-1-003)

Appropriation:	
Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$722,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$1,283,000
TOTAL	\$2,005,000

NEW SECTION. Sec. 2045. FOR THE DEPARTMENT OF VETERANS AFFAIRS
Minor Works - Program (08-2-002)

Appropriation:	
Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$344,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$231,000
TOTAL	\$575,000

NEW SECTION. Sec. 2046. FOR THE DEPARTMENT OF VETERANS AFFAIRS
State Veterans Cemetery (08-2-004)

Appropriation:	
General Fund--Federal	\$6,886,000
Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$939,000
Subtotal Appropriation	\$7,825,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,825,000

NEW SECTION. Sec. 2047. FOR THE DEPARTMENT OF VETERANS AFFAIRS
Emergency Repairs (08-1-004)

Appropriation:	
Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$300,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0

TOTAL \$300,000

NEW SECTION. Sec. 2048. FOR THE DEPARTMENT OF VETERANS AFFAIRS
 Minor Works - Health, Safety, and Code Requirements (08-1-002)

Appropriation:
 Charitable, Educational, Penal, and Reformatory Institutions Account--State \$596,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$1,680,000
 TOTAL \$2,276,000

NEW SECTION. Sec. 2049. FOR THE DEPARTMENT OF VETERANS AFFAIRS
 Minor Works - Infrastructure Preservation (08-1-001)

Appropriation:
 Charitable, Educational, Penal, and Reformatory Institutions Account--State \$1,025,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$2,377,000
 TOTAL \$3,402,000

NEW SECTION. Sec. 2050. FOR THE DEPARTMENT OF VETERANS AFFAIRS
 Retsil Energy Assessment and Audit (08-2-850)

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

- (1) Up to \$40,000 of the appropriation is for a department of general administration assessment of the use of digester gas fuel generated by a nearby wastewater treatment facility to heat the veterans home in Retsil.
- (2) Up to \$60,000 of the appropriation is for a department of general administration energy audit of the veterans home in Retsil.

Appropriation:
 Charitable, Educational, Penal, and Reformatory Institutions Account--State \$100,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$100,000

NEW SECTION. Sec. 2051. FOR THE DEPARTMENT OF CORRECTIONS
 Coyote Ridge Corrections Center: Design and Construct Medium Security Facility (98-2-011)

Reappropriation:
 State Building Construction Account--State \$155,459,000
 Appropriation:
 State Building Construction Account--State \$13,700,000
 Prior Biennia (Expenditures) \$75,449,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$244,608,000

NEW SECTION. Sec. 2052. FOR THE DEPARTMENT OF CORRECTIONS
 Washington Corrections Center: Regional Infrastructure (04-2-008)

Reappropriation:
 State Building Construction Account--State \$13,208,000
 Prior Biennia (Expenditures) \$1,521,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$14,729,000

NEW SECTION. Sec. 2053. FOR THE DEPARTMENT OF CORRECTIONS
 Washington State Penitentiary: North Close Security Compound (04-2-005)

Reappropriation:
 State Building Construction Account--State \$10,482,000
 Prior Biennia (Expenditures) \$130,276,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$140,758,000

NEW SECTION. Sec. 2054. FOR THE DEPARTMENT OF CORRECTIONS
 Clallam Bay Corrections Center: Install Close Custody Slider Doors (06-2-070)

Reappropriation:
 State Building Construction Account--State \$660,000

Prior Biennia (Expenditures)	\$90,000
Future Biennia (Projected Costs)	\$11,581,000
TOTAL	\$12,331,000

NEW SECTION. Sec. 2055. FOR THE DEPARTMENT OF CORRECTIONS
Clallam Bay Corrections Center: Replace Support Building Roof (06-1-044)

Reappropriation:	
State Building Construction Account--State	\$3,930,000
Prior Biennia (Expenditures)	\$822,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,752,000

NEW SECTION. Sec. 2056. FOR THE DEPARTMENT OF CORRECTIONS
Cedar Creek Corrections Center: Add 100 Minimum Security Beds (06-2-851)

Reappropriation:	
State Building Construction Account--State	\$6,022,000
Prior Biennia (Expenditures)	\$207,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,229,000

NEW SECTION. Sec. 2057. FOR THE DEPARTMENT OF CORRECTIONS
Larch Corrections Center: 80 Bed Expansion (06-2-852)

Reappropriation:	
State Building Construction Account--State	\$2,915,000
Prior Biennia (Expenditures)	\$157,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,072,000

NEW SECTION. Sec. 2058. FOR THE DEPARTMENT OF CORRECTIONS
Monroe Corrections Complex: Improve C and D Units Security Features (06-1-046)

Reappropriation:	
State Building Construction Account--State	\$280,000
Prior Biennia (Expenditures)	\$2,618,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,898,000

NEW SECTION. Sec. 2059. FOR THE DEPARTMENT OF CORRECTIONS
McNeil Island Corrections Center: Replace/Stabilize Housing Unit Siding (06-1-005)

Reappropriation:	
State Building Construction Account--State	\$445,000
Appropriation:	
State Building Construction Account--State	\$3,000,000
Prior Biennia (Expenditures)	\$349,000
Future Biennia (Projected Costs)	\$9,024,000
TOTAL	\$12,818,000

NEW SECTION. Sec. 2060. FOR THE DEPARTMENT OF CORRECTIONS
Washington State Penitentiary: Kitchen Improvements (06-1-007)

Reappropriation:	
State Building Construction Account--State	\$569,000
Appropriation:	
State Building Construction Account--State	\$0
Prior Biennia (Expenditures)	\$61,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$630,000

NEW SECTION. Sec. 2061. FOR THE DEPARTMENT OF CORRECTIONS
Mission Creek: Add 120 Beds (06-2-017)

Reappropriation:	
State Building Construction Account--State	\$2,861,000

Prior Biennia (Expenditures)	\$564,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,425,000

NEW SECTION. Sec. 2062. FOR THE DEPARTMENT OF CORRECTIONS

Omnibus Preservation: Facility Preservation (Minor Works) (06-1-035)

Reappropriation:

State Building Construction Account--State	\$2,268,000
Prior Biennia (Expenditures)	\$1,565,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,833,000

NEW SECTION. Sec. 2063. FOR THE DEPARTMENT OF CORRECTIONS

Omnibus Preservation: Health, Safety, and Code (Minor Works) (06-1-027)

Reappropriation:

State Building Construction Account--State	\$2,039,000
Prior Biennia (Expenditures)	\$2,061,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,100,000

NEW SECTION. Sec. 2064. FOR THE DEPARTMENT OF CORRECTIONS

Omnibus Preservation: Infrastructure Preservation (Minor Works) (06-1-025)

Reappropriation:

State Building Construction Account--State	\$3,183,000
Prior Biennia (Expenditures)	\$643,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,826,000

NEW SECTION. Sec. 2065. FOR THE DEPARTMENT OF CORRECTIONS

Omnibus Program: Programmatic Projects (Minor Works) (06-2-033)

Reappropriation:

State Building Construction Account--State	\$1,554,000
Prior Biennia (Expenditures)	\$361,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,915,000

NEW SECTION. Sec. 2066. FOR THE DEPARTMENT OF CORRECTIONS

Monroe Corrections Center: Health Care Facility (06-2-043)

Reappropriation:

State Building Construction Account--State	\$360,000
Prior Biennia (Expenditures)	\$340,000
Future Biennia (Projected Costs)	\$76,027,000
TOTAL	\$76,727,000

NEW SECTION. Sec. 2067. FOR THE DEPARTMENT OF CORRECTIONS

Washington Corrections Center: Health Care Facility (06-2-072)

Reappropriation:

State Building Construction Account--State	\$1,039,000
Prior Biennia (Expenditures)	\$161,000
Future Biennia (Projected Costs)	\$17,592,000
TOTAL	\$18,792,000

NEW SECTION. Sec. 2068. FOR THE DEPARTMENT OF CORRECTIONS

Stafford Creek Corrections Center: Correct Security Deficiencies (06-1-013)

Reappropriation:

State Building Construction Account--State	\$1,000,000
Prior Biennia (Expenditures)	\$593,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,593,000

NEW SECTION. Sec. 2069. FOR THE DEPARTMENT OF CORRECTIONS
Statewide: Add Minimum Security Beds (06-2-950)

Reappropriation:	
State Building Construction Account--State	\$5,361,000
Prior Biennia (Expenditures)	\$2,082,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,443,000

NEW SECTION. Sec. 2070. FOR THE DEPARTMENT OF CORRECTIONS
Washington Corrections Center for Women Healthcare Center (06-2-066)

Reappropriation:	
State Building Construction Account--State	\$758,000
Appropriation:	
State Building Construction Account--State	\$17,858,000
Prior Biennia (Expenditures)	\$442,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$19,058,000

NEW SECTION. Sec. 2071. FOR THE DEPARTMENT OF CORRECTIONS
Washington Corrections Center for Women: Replace Steamlines (06-1-018)

Reappropriation:	
State Building Construction Account--State	\$641,000
Appropriation:	
State Building Construction Account--State	\$5,179,000
Prior Biennia (Expenditures)	\$375,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,195,000

NEW SECTION. Sec. 2072. FOR THE DEPARTMENT OF CORRECTIONS
Washington State Penitentiary: Replace Correctional Industry Roof (06-1-023)

Reappropriation:	
Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$1,619,000
State Building Construction Account--State	\$1,338,000
Subtotal Reappropriation	\$2,957,000
Prior Biennia (Expenditures)	\$494,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,451,000

NEW SECTION. Sec. 2073. FOR THE DEPARTMENT OF CORRECTIONS
Washington State Penitentiary: South Close Security Complex (06-2-021)

Reappropriation:	
State Building Construction Account--State	\$2,983,000
Appropriation:	
State Building Construction Account--State	\$61,294,000
Prior Biennia (Expenditures)	\$1,017,000
Future Biennia (Projected Costs)	\$69,193,000
TOTAL	\$134,487,000

NEW SECTION. Sec. 2074. FOR THE DEPARTMENT OF CORRECTIONS
100 Bed Expansion at Mission Creek Corrections Center for Women (08-2-020)

Appropriation:	
State Building Construction Account--State	\$6,627,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,627,000

NEW SECTION. Sec. 2075. FOR THE DEPARTMENT OF CORRECTIONS
Airway Heights Heating and Cooling Loop Replacement (08-1-001)

Appropriation:	
State Building Construction Account--State	\$2,925,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,925,000

NEW SECTION. Sec. 2076. FOR THE DEPARTMENT OF CORRECTIONS
 Close Sewer Lagoon at Monroe Correctional Complex (08-2-022)

Appropriation:

State Building Construction Account--State	\$229,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$6,736,000
TOTAL	\$6,965,000

NEW SECTION. Sec. 2077. FOR THE DEPARTMENT OF CORRECTIONS
 Emergency Repairs (08-1-035)

Appropriation:

State Building Construction Account--State	\$2,500,000
Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$500,000
Subtotal Appropriation	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$10,000,000
TOTAL	\$13,000,000

NEW SECTION. Sec. 2078. FOR THE DEPARTMENT OF CORRECTIONS
 Expand Reception Center at Washington Corrections Center (08-2-016)

Appropriation:

State Building Construction Account--State	\$470,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$45,353,000
TOTAL	\$45,823,000

NEW SECTION. Sec. 2079. FOR THE DEPARTMENT OF CORRECTIONS
 Laundry Improvements at Washington State Penitentiary (08-1-033)

Appropriation:

State Building Construction Account--State	\$4,051,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,051,000

NEW SECTION. Sec. 2080. FOR THE DEPARTMENT OF CORRECTIONS
 Minor Works - Facility Preservation (08-1-024)

Appropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$12,000,000
TOTAL	\$15,000,000

NEW SECTION. Sec. 2081. FOR THE DEPARTMENT OF CORRECTIONS
 Minor Works - Health, Safety, and Code Requirements (08-1-031)

Appropriation:

Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$12,000,000
TOTAL	\$15,000,000

NEW SECTION. Sec. 2082. FOR THE DEPARTMENT OF CORRECTIONS
 Minor Works - Infrastructure Preservation (08-1-018)

Appropriation:

State Building Construction Account--State	\$1,000,000
Charitable, Educational, Penal, and Reformatory Institutions Account--State	\$1,000,000
Subtotal Appropriation	\$2,000,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$8,000,000
TOTAL	\$10,000,000

NEW SECTION. Sec. 2083. FOR THE DEPARTMENT OF CORRECTIONS

Replace Barge Slip Pilings at McNeil Island Corrections Center (08-1-002)

Appropriation:

State Building Construction Account--State	\$3,900,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,900,000

NEW SECTION. Sec. 2084. FOR THE DEPARTMENT OF CORRECTIONS

Replace Cell Door and Electronics at Washington State Reformatory (08-1-010)

Appropriation:

State Building Construction Account--State	\$1,545,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,545,000

NEW SECTION. Sec. 2085. FOR THE DEPARTMENT OF CORRECTIONS

Replace Electrical Distribution Building at Special Offenders Unit (08-1-009)

Appropriation:

State Building Construction Account--State	\$1,222,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,222,000

NEW SECTION. Sec. 2086. FOR THE DEPARTMENT OF CORRECTIONS

Replace Fire Alarm System at Washington Corrections Center (08-1-008)

Appropriation:

State Building Construction Account--State	\$1,524,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,524,000

NEW SECTION. Sec. 2087. FOR THE DEPARTMENT OF CORRECTIONS

Replace G Building Roof at Washington Corrections Center (08-1-004)

Appropriation:

State Building Construction Account--State	\$4,431,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,431,000

NEW SECTION. Sec. 2088. FOR THE DEPARTMENT OF CORRECTIONS

Replace Kitchen Roofs at Monroe Correctional Complex (08-1-003)

Appropriation:

State Building Construction Account--State	\$2,062,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,062,000

NEW SECTION. Sec. 2089. FOR THE DEPARTMENT OF CORRECTIONS

Replace Roofs at Washington Corrections Center (08-1-005)

Appropriation:

State Building Construction Account--State	\$6,666,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,666,000

NEW SECTION. Sec. 2090. FOR THE DEPARTMENT OF CORRECTIONS

Replace Roofs at Washington State Penitentiary (08-1-007)

Appropriation:

State Building Construction Account--State	\$1,789,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,789,000

NEW SECTION. Sec. 2091. FOR THE DEPARTMENT OF CORRECTIONS

Replace Telecommunications Infrastructure at Clallam Bay (08-1-013)

Appropriation:

State Building Construction Account--State	\$1,850,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$13,691,000
TOTAL	\$15,541,000

NEW SECTION. Sec. 2092. FOR THE DEPARTMENT OF CORRECTIONS

Sex Offender Treatment Program Building at Airway Heights (08-2-028)

Appropriation:

State Building Construction Account--State	\$4,947,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,947,000

NEW SECTION. Sec. 2093. FOR THE EMPLOYMENT SECURITY DEPARTMENT

Employment Resource Center (05-2-001)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely for services and activities including the purchase and installation of state of the art equipment for a 40,000 square foot facility supporting work force development programs using funds available to the state in section 903(d) of the Social Security Act (Reed act).

Reappropriation:

Unemployment Compensation Administration Account--Federal	\$3,354,000
Prior Biennia (Expenditures)	\$2,646,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,000,000

NEW SECTION. Sec. 2094. FOR THE EMPLOYMENT SECURITY DEPARTMENT

Employment Security Headquarters Building Assessment (08-1-002)

Appropriation:

Unemployment Compensation Administration Account--Federal	\$300,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$300,000

NEW SECTION. Sec. 2095. FOR THE EMPLOYMENT SECURITY DEPARTMENT

Walla Walla WorkSource Expansion Project (06-2-001)

Reappropriation:

Unemployment Compensation Administration Account--Federal	\$250,000
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Appropriation:

Unemployment Compensation Administration Account--Federal	\$578,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$828,000

**PART 3
NATURAL RESOURCES**

NEW SECTION. Sec. 3001. FOR THE DEPARTMENT OF ECOLOGY

Water Supply Facilities (74-2-006)

Reappropriation:

State and Local Improvements Revolving Account (Water Supply Facilities)--State	\$2,756,000
Prior Biennia (Expenditures)	\$13,543,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$16,299,000

NEW SECTION. Sec. 3002. FOR THE DEPARTMENT OF ECOLOGY

Centennial Clean Water Fund (86-2-007)

Reappropriation:

Water Quality Capital Account--State	\$678,000
Prior Biennia (Expenditures)	\$351,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,029,000

NEW SECTION. Sec. 3003. FOR THE DEPARTMENT OF ECOLOGY

Local Toxics Grants for Cleanup and Prevention (88-2-008)

Reappropriation:

Local Toxics Control Account--State	\$400,000
Prior Biennia (Expenditures)	\$3,191,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,591,000

NEW SECTION. Sec. 3004. FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving Account (90-2-002)

Reappropriation:

Water Pollution Control Revolving Account--Federal	\$400,000
Prior Biennia (Expenditures)	\$13,306,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,706,000

NEW SECTION. Sec. 3005. FOR THE DEPARTMENT OF ECOLOGY

Low-Level Nuclear Waste Disposal Trench Closure (97-2-012)

Reappropriation:

Site Closure Account--State	\$4,800,000
Prior Biennia (Expenditures)	\$7,045,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,845,000

NEW SECTION. Sec. 3006. FOR THE DEPARTMENT OF ECOLOGY

Water Irrigation Efficiencies (01-H-010)

Reappropriation:

State and Local Improvements Revolving Account (Water Supply Facilities)--State	\$1,318,000
Water Quality Capital Account--State	\$310,000
Subtotal Reappropriation	\$1,628,000
Prior Biennia (Expenditures)	\$8,449,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,077,000

NEW SECTION. Sec. 3007. FOR THE DEPARTMENT OF ECOLOGY

Water Measuring Devices (01-H-009)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for water measuring devices and gauges. The department shall prioritize the distribution of water measuring devices and gauges to locations participating in the department of fish and wildlife's fish screens and cooperative compliance programs.

Reappropriation:

State Building Construction Account--State	\$1,201,000
Prior Biennia (Expenditures)	\$1,943,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,144,000

NEW SECTION. Sec. 3008. FOR THE DEPARTMENT OF ECOLOGY
 Centennial Clean Water Fund (02-4-007)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the conditions and limitations of section 315, chapter 8, Laws of 2001 2nd sp. sess.

Reappropriation:

Water Quality Capital Account--State	\$1,625,000
Prior Biennia (Expenditures)	\$1,974,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,599,000

NEW SECTION. Sec. 3009. FOR THE DEPARTMENT OF ECOLOGY
 Water Pollution Control Revolving Account (02-4-002)

Reappropriation:

Water Pollution Control Revolving Account--State	\$7,000,000
Water Pollution Control Revolving Account--Federal	\$79,000
Subtotal Reappropriation	\$7,079,000
Prior Biennia (Expenditures)	\$37,134,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$44,213,000

NEW SECTION. Sec. 3010. FOR THE DEPARTMENT OF ECOLOGY
 Water Supply Facilities (02-4-006)

Reappropriation:

State and Local Improvements Revolving Account (Water Supply Facilities)--State	\$2,110,000
Prior Biennia (Expenditures)	\$3,889,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,999,000

NEW SECTION. Sec. 3011. FOR THE DEPARTMENT OF ECOLOGY
 Centennial Clean Water Fund (04-4-007)

Reappropriation:

State Building Construction Account--State	\$4,650,000
Water Quality Capital Account--State	\$1,400,000
Subtotal Reappropriation	\$6,050,000
Prior Biennia (Expenditures)	\$8,702,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$14,752,000

NEW SECTION. Sec. 3012. FOR THE DEPARTMENT OF ECOLOGY
 Local Toxics Grants for Cleanup and Prevention (04-4-008)

Reappropriation:

Local Toxics Control Account--State	\$1,100,000
Prior Biennia (Expenditures)	\$10,296,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,396,000

NEW SECTION. Sec. 3013. FOR THE DEPARTMENT OF ECOLOGY
 Site Closure - Nuclear Waste Trench Site Investigation (04-4-010)

Reappropriation:

Site Closure Account--State	\$1,120,000
Prior Biennia (Expenditures)	\$1,146,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,266,000

NEW SECTION. Sec. 3014. FOR THE DEPARTMENT OF ECOLOGY
 Twin Lake Aquifer Recharge Project (04-2-951)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely to recover the department of ecology's cost in evaluating and issuing decisions on water applications and restoration of the Twin Lakes in the Methow Valley.

Reappropriation:

State Building Construction Account--State	\$643,000
Prior Biennia (Expenditures)	\$106,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$749,000

NEW SECTION. Sec. 3015. FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving Account (04-4-002)

Reappropriation:

Water Pollution Control Revolving Account--State	\$13,000,000
Water Pollution Control Revolving Account--Federal	\$6,200,000
Subtotal Reappropriation	\$19,200,000
Prior Biennia (Expenditures)	\$65,228,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$84,428,000

NEW SECTION. Sec. 3016. FOR THE DEPARTMENT OF ECOLOGY

Water Rights Purchase/Lease (04-1-005)

Reappropriation:

State Drought Preparedness--State	\$804,000
Prior Biennia (Expenditures)	\$696,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,500,000

NEW SECTION. Sec. 3017. FOR THE DEPARTMENT OF ECOLOGY

Water Supply Facilities (04-4-006)

Reappropriation:

State Building Construction Account--State	\$3,389,000
State and Local Improvements Revolving Account (Water Supply Facilities)--State	\$1,438,000
Subtotal Reappropriation	\$4,827,000
Prior Biennia (Expenditures)	\$8,799,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,626,000

NEW SECTION. Sec. 3018. FOR THE DEPARTMENT OF ECOLOGY

Quad Cities Water Right Mitigation (05-2-852)

Reappropriation:

State Building Construction Account--State	\$2,047,000
Prior Biennia (Expenditures)	\$153,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,200,000

NEW SECTION. Sec. 3019. FOR THE DEPARTMENT OF ECOLOGY

State Drought Preparedness (05-4-009)

Reappropriation:

State Drought Preparedness--State	\$1,464,000
Prior Biennia (Expenditures)	\$5,865,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,329,000

NEW SECTION. Sec. 3020. FOR THE DEPARTMENT OF ECOLOGY

Sunnyside Valley Irrigation District Water Conservation (05-2-851)

Reappropriation:

State Building Construction Account--State	\$3,187,000
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Appropriation:

State Building Construction Account--State	\$2,544,000
Prior Biennia (Expenditures)	\$1,133,000
Future Biennia (Projected Costs)	\$2,132,000
TOTAL	\$8,996,000

NEW SECTION. Sec. 3021. FOR THE DEPARTMENT OF ECOLOGY

Water Conveyance Infrastructure Projects (05-2-850)

Reappropriation:

State Building Construction Account--State	\$3,168,000
State and Local Improvements Revolving Account (Water Supply Facilities)--State	\$1,415,000
Water Quality Capital Account--State	\$293,000
Subtotal Reappropriation	\$4,876,000
Prior Biennia (Expenditures)	\$954,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,830,000

NEW SECTION. Sec. 3022. FOR THE DEPARTMENT OF ECOLOGY

Centennial Clean Water Program (06-4-007)

Reappropriation:

State Building Construction Account--State	\$5,900,000
Water Quality Capital Account--State	\$8,500,000
State Toxics Control Account--State	\$10,000,000
Subtotal Reappropriation	\$24,400,000
Prior Biennia (Expenditures)	\$32,024,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$56,424,000

NEW SECTION. Sec. 3023. FOR THE DEPARTMENT OF ECOLOGY

Cleanup Toxic Sites - Puget Sound (06-4-001)

The reappropriation in this section is subject to the following conditions and limitations: Funding is provided solely for the clean up of contaminated sites that lie adjacent to and are within one-half mile of Puget Sound. Clean ups must include orphaned and abandoned sites that pose a threat to Puget Sound with the highest priority sites being cleaned up first.

Reappropriation:

State Toxics Control Account--State	\$2,750,000
Prior Biennia (Expenditures)	\$1,233,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,983,000

NEW SECTION. Sec. 3024. FOR THE DEPARTMENT OF ECOLOGY

Columbia River Basin Water Supply Development Program (06-2-950)

Reappropriation:

Columbia River Basin Water Supply Development Account--State	\$10,000,000
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Appropriation:

Columbia River Basin Water Supply Development Account--State	\$34,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$155,500,000
TOTAL	\$200,000,000

NEW SECTION. Sec. 3025. FOR THE DEPARTMENT OF ECOLOGY

Columbia River Program (06-2-010)

Reappropriation:

State Building Construction Account--State	\$11,542,000
Prior Biennia (Expenditures)	\$4,458,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$16,000,000

NEW SECTION. Sec. 3026. FOR THE DEPARTMENT OF ECOLOGY

Local Toxics Grants for Cleanup and Prevention (06-4-008)

Reappropriation:

Local Toxics Control Account--State	\$56,470,000
Prior Biennia (Expenditures)	\$42,430,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$98,900,000

NEW SECTION. Sec. 3027. FOR THE DEPARTMENT OF ECOLOGY

Low Impact Development for Storm Water Management (06-2-006)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for grants to local governments in Puget Sound to fund innovative, low-impact development storm water management projects to meet critical storm water management needs and protect or restore water quality. Projects may include use of bioretention, rainwater harvest, permeable pavement, vegetated roofs, and other low-impact development techniques. Projects funded in Puget Sound must meet the design guidelines contained in the low-impact development technical guidance manual for Puget Sound, unless the municipality can demonstrate that site conditions warrant a deviation from the design guidelines and the deviations in design provides similar performance. All projects must include performance monitoring.

Reappropriation:

State Toxics Control Account--State	\$2,500,000
Prior Biennia (Expenditures)	\$2,500,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 3028. FOR THE DEPARTMENT OF ECOLOGY
 Minor Works (06-1-004)

Reappropriation:

State Building Construction Account--State	\$30,000
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Appropriation:

State Building Construction Account--State	\$270,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$300,000

NEW SECTION. Sec. 3029. FOR THE DEPARTMENT OF ECOLOGY
 Motor Vehicle Mercury Removal Program (06-2-850)

Reappropriation:

State Toxics Control Account--State	\$900,000
Prior Biennia (Expenditures)	\$100,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 3030. FOR THE DEPARTMENT OF ECOLOGY
 Puget Sound Aquatic Cleanup and Restoration (06-1-005)

Reappropriation:

State Toxics Control Account--State	\$3,129,000
Prior Biennia (Expenditures)	\$1,871,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 3031. FOR THE DEPARTMENT OF ECOLOGY
 Safe Soil Remediation and Awareness Projects (06-2-001)

Reappropriation:

State Toxics Control Account--State	\$1,059,000
Prior Biennia (Expenditures)	\$1,909,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,968,000

NEW SECTION. Sec. 3032. FOR THE DEPARTMENT OF ECOLOGY
 Waste Tire Piles (06-1-002)

Reappropriation:

Waste Tire Removal Account--State	\$3,500,000
Prior Biennia (Expenditures)	\$4,000,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,500,000

NEW SECTION. Sec. 3033. FOR THE DEPARTMENT OF ECOLOGY
 Water Irrigation Efficiencies (06-2-009)

Reappropriation:

State Building Construction Account--State	\$3,435,000
Prior Biennia (Expenditures)	\$64,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,499,000

NEW SECTION. Sec. 3034. FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Revolving Account (06-4-002)

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

(1) The department shall give priority loan funding consideration to on-site septic system rehabilitation and replacement programs in Mason, Kitsap, and Jefferson counties for up to \$1,000,000 from the water pollution control revolving account--state in the second year of the funding cycle.

(2) Up to \$5,000,000 of the water pollution control revolving account--state reappropriation is for loans for on-site sewage replacement. This reappropriation may be used to: (a) Establish new or expand existing on-site sewage repair and replacement loan programs by county governments or tribes; or (b) develop a pilot program to administer an on-site sewage repair and replacement loan program through a qualified private or nonprofit lending institution. This appropriation must be used in conjunction with water quality capital account--state appropriation in section 3022 of this act provided for this purpose. The department must work with the department of health, the Puget Sound water quality action team, local governments, and the lending industry in developing and piloting this program. The department shall provide a status report on the loan program to the governor and the appropriate legislative fiscal committees by June 30, 2008, including any recommendations for improving the program.

Reappropriation:

Water Pollution Control Revolving Account--State	\$124,000,000
Water Pollution Control Revolving Account--Federal	\$65,000,000
Subtotal Reappropriation	\$189,000,000
Prior Biennia (Expenditures)	\$50,617,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$239,617,000

NEW SECTION. Sec. 3035. FOR THE DEPARTMENT OF ECOLOGY

Watershed Plan Implementation and Flow Achievement (06-2-003)

Reappropriation:

State Building Construction Account--State	\$10,849,000
Water Quality Capital Account--State	\$386,000
Subtotal Reappropriation	\$11,235,000
Prior Biennia (Expenditures)	\$1,563,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,798,000

NEW SECTION. Sec. 3036. FOR THE DEPARTMENT OF ECOLOGY

Centennial Clean Water Program (08-4-010)

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

(1) Up to \$10,000,000 of the state building construction account--state appropriation is for the extended grant payment to Spokane for the Spokane-Rathdrum Prairie aquifer.

(2) \$5,000,000 of the state building construction account--state appropriation is provided solely for water quality grants for hardship communities with a population of less than 5,000. The department shall give priority consideration to: (a) Communities subject to a regulatory order from the department of ecology for noncompliance with water quality rules; (b) projects for which design work has been completed; and (c) projects with a local match from reasonable water quality rates and charges.

(3) \$2,000,000 of the state building construction account--state appropriation is provided solely for the Adams and Lincoln counties ground water mapping project. The project shall submit a report to the appropriate committees of the legislature describing the dynamic relationship between groundwater and surface water in the region. The report shall be submitted by January 1, 2009.

(4) \$2,100,000 of the state toxics control account appropriation is provided solely for wastewater and clean water improvement projects at Illahee state park, Fort Flagler state park, and Larrabee state park.

(5)(a) \$16,545,000 of the state building construction account--state appropriation is provided solely for the following projects:

Project	Amount
Rock Island waste water treatment system	\$870,000
Enumclaw waste water treatment system	\$750,000
Snohomish waste water treatment system	\$4,925,000
Freeland sewer district	\$1,000,000
North Clark county regional sewer demonstration project	\$4,000,000
Town of Warden waste water	\$3,000,000

(b) The appropriation for entities that are listed in (a) of this subsection shall not affect the entities' eligibility for centennial fund hardship assistance and shall be excluded from any financial hardship calculation that would have the effect of reducing other moneys for which the entity is currently contracted and eligible under WAC 173-95A-030(8), as it existed on the effective date of this section.

Appropriation:

State Building Construction Account--State	\$51,495,000
Water Quality Capital Account--State	\$7,550,000
State Toxics Control Account--State	\$2,100,000
Subtotal Appropriation	\$61,145,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$178,400,000
TOTAL	\$239,545,000

NEW SECTION. Sec. 3037. FOR THE DEPARTMENT OF ECOLOGY
 Cleanup Toxic Sites in Puget Sound (08-4-005)

The appropriation in this section is subject to the following conditions and limitations: Funding is provided solely for the clean up of contaminated sites that lie adjacent to and are within one-half mile of Puget Sound. Clean ups shall include orphan and abandoned sites that pose a threat to Puget Sound with the highest priority sites being cleaned up first. The department shall provide the Puget Sound partnership, as created by sections 111 and 112, chapter . . . (Substitute Senate Bill No. 5372) Laws of 2007, the opportunity to review and provide comment on project evaluation ranking criteria, and proposed projects and activities recommended for funding.

Appropriation:

State Toxics Control Account--State	\$4,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$18,820,000
TOTAL	\$22,820,000

NEW SECTION. Sec. 3038. FOR THE DEPARTMENT OF ECOLOGY
 Coordinated Prevention Grants (08-4-015)

The appropriation in this section is subject to the following conditions and limitations:
 (1) \$4,000,000 of the appropriation is provided solely for grants to local governments for local waste and pollution prevention projects. Grants shall fund new organics composting and conversion, green building, and moderate risk waste initiatives described in the state "beyond waste" plan.
 (2) Up to \$2,000,000 of the appropriation may be used for grants to local governments to provide alternatives to backyard burning of organic materials. Priority for these grants shall be given to: (a) Urban growth areas of less than 5,000 people affected by the January 1, 2007, ban on outdoor burning; (b) projects that develop in infrastructure for an on-going program; and (c) projects that coordinate regionally.

Appropriation:

Local Toxics Control Account--State	\$25,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$114,000,000
TOTAL	\$139,500,000

NEW SECTION. Sec. 3039. FOR THE DEPARTMENT OF ECOLOGY
 On-Site Septic Replacement Program (08-4-012)

The appropriation in this section is subject to the following conditions and limitations: Up to \$3,000,000 of the water quality capital account--state appropriation is for a contract with a nonprofit organization that is familiar with on-site sewage repair and replacement in Hood Canal to coordinate improvements to sewage systems. As part of a pilot project, the nonprofit organization may provide funds to a qualified private or nonprofit lending institution to provide financial assistance to local governments and private landowners for the repair, replacement, or upgrade of on-site sewage systems.

Appropriation:

Water Quality Capital Account--State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 3040. FOR THE DEPARTMENT OF ECOLOGY
 Puget Sound Aquatic Cleanup and Restoration (08-4-004)

The appropriation in this section is subject to the following conditions and limitations: The department shall provide the Puget Sound partnership, as created by sections 111 and 112, chapter . . . (Substitute Senate Bill No. 5372) Laws of 2007, the opportunity to review and provide comment on project evaluation ranking criteria, and proposed projects and activities recommended for funding.

Appropriation:

State Toxics Control Account--State	\$5,905,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$23,620,000
TOTAL	\$29,525,000

NEW SECTION. Sec. 3041. FOR THE DEPARTMENT OF ECOLOGY
Puget Sound Storm Water Projects (08-2-002)

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for grants to local governments within Puget Sound for municipal storm water projects that would prevent the contamination or recontamination of hazardous waste cleanup sites, including but not limited to, retrofit of existing storm water projects in urban areas where storm water is a significant source of contamination, identification and removal of nonstorm water discharges into municipal storm sewer systems, and local innovative storm water projects that implement low-impact development. The department shall provide the Puget Sound partnership, as created by sections 111 and 112, chapter . . . (Substitute Senate Bill No. 5372) Laws of 2007, the opportunity to review and provide comment on project evaluation ranking criteria, and proposed projects and activities recommended for funding.

Appropriation:

State Building Construction Account--State	\$19,170,000
Local Toxics Control Account--State	\$5,000,000
Subtotal Appropriation	\$24,170,000
 Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$56,680,000
TOTAL	\$80,850,000

NEW SECTION. Sec. 3042. FOR THE DEPARTMENT OF ECOLOGY
Storm Water Projects (08-2-003)

Appropriation:

State Toxics Control Account--State	\$3,000,000
 Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 3043. FOR THE DEPARTMENT OF ECOLOGY
Rebuild East Wall of Ecology Headquarters (08-1-002)

Appropriation:

State Building Construction Account--State	\$100,000
 Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$100,000

NEW SECTION. Sec. 3044. FOR THE DEPARTMENT OF ECOLOGY
Reclaimed Water (08-4-002)

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for grants to local governments in Puget Sound to complete reclaimed water projects. Priority shall be given to projects in water short areas where reclaimed water can be used to replace other water sources and where reclaimed water can be used to restore important ecosystem functions in Puget Sound.

Appropriation:

State Building Construction Account--State	\$6,080,000
 Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$24,320,000
TOTAL	\$30,400,000

NEW SECTION. Sec. 3045. FOR THE DEPARTMENT OF ECOLOGY
Reduce Health Risks from Toxic Diesel Pollution (08-4-024)

The appropriation in this section is subject to the following conditions and limitations:
 (1) \$4,840,000 of the appropriation is provided solely for school bus diesel retrofits for local school districts.
 (2) \$2,330,000 of the appropriation is provided solely for emission reduction projects for local governments to retrofit public sector diesel engines to allow public sector fleets to reduce their emissions.

Appropriation:

Local Toxics Control Account--State	\$7,170,000
 Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,170,000

NEW SECTION. Sec. 3046. FOR THE DEPARTMENT OF ECOLOGY
Remedial Action Grants (08-4-008)

Appropriation:

Local Toxics Control Account--State	\$84,475,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$180,000,000
TOTAL	\$264,475,000

NEW SECTION. Sec. 3047. FOR THE DEPARTMENT OF ECOLOGY

Repair Exterior Surfaces and Expand Emergency Power Supply (08-1-003)

Appropriation:

State Building Construction Account--State	\$475,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$475,000

NEW SECTION. Sec. 3048. FOR THE DEPARTMENT OF ECOLOGY

Safe Soils Remediation Grants (08-4-009)

Appropriation:

State Toxics Control Account--State	\$2,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$4,000,000
TOTAL	\$6,000,000

NEW SECTION. Sec. 3049. FOR THE DEPARTMENT OF ECOLOGY

Reduce Public Health Risks from Wood Stove Pollution (08-4-019)

Appropriation:

Wood Stove Education Account--State	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,000,000
TOTAL	\$2,500,000

NEW SECTION. Sec. 3050. FOR THE DEPARTMENT OF ECOLOGY

Skykomish Cleanup (08-4-020)

Appropriation:

State Toxics Control Account--State	\$7,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,000,000

NEW SECTION. Sec. 3051. FOR THE DEPARTMENT OF ECOLOGY

Waste Tire Pile Cleanup (08-4-022)

Appropriation:

Waste Tire Removal Account--State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$5,000,000
TOTAL	\$10,000,000

NEW SECTION. Sec. 3052. FOR THE DEPARTMENT OF ECOLOGY

Water Irrigation Efficiencies (08-4-028)

The appropriation in this section is subject to the following conditions and limitations: \$250,000 is provided solely for emergency repairs for the South Naches irrigation district.

Appropriation:

State Building Construction Account--State	\$3,250,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$12,000,000
TOTAL	\$15,250,000

NEW SECTION. Sec. 3053. FOR THE DEPARTMENT OF ECOLOGY

Water Pollution Control Loan Program (08-4-011)

Appropriation:

Water Pollution Control Revolving Account-- State	\$90,000,000
Water Pollution Control Revolving Account-- Federal	\$50,000,000
Subtotal Appropriation	\$140,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$500,000,000
TOTAL	\$640,000,000

NEW SECTION. Sec. 3054. FOR THE DEPARTMENT OF ECOLOGY
Watershed Plan Implementation and Flow Achievement (08-4-029)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for grants for projects that improve water supplies and help achieve instream flows by implementing watershed plans, as follows:

- (1) Surface or ground water storage projects, where such projects are consistent with the recommendations of the water storage task force. The department shall consult the departments of agriculture and fish and wildlife before issuing water storage grants.
- (2) Infrastructure or water management projects that resolve conflicts among water needs for municipal, agricultural, rural, and fish restoration purposes. The stream flow improvements and other public benefits secured from these projects must be commensurate with the investment of state funds.
- (3) Agricultural water supply projects that improve water conservation and water use efficiency.
- (4) Purchase and installation of water measuring devices in salmon critical basins and areas participating in the department of fish and wildlife fish screening and cooperative compliance program, and basins where watershed plans call for additional water use measurement.
- (5) Acquisition of water to achieve instream flows or to establish water banks. The department shall give priority to acquisitions in salmon critical basins. The department shall place acquired water into the state's trust water rights program (chapters 90.38 and 90.42 RCW).
- (6) Up to \$200,000 of the appropriation is provided for a portion of the costs of the Ahtanum creek watershed restoration program, including construction of the Pine Hollow reservoir, provided there is agreement among the Yakama nation, Ahtanum irrigation district, and other jurisdictional federal, state, and local agencies and entities to proceed with the environmental impact statement.
- (7) \$560,000 is provided solely for the Chehalis watershed.
- (8) \$300,000 is provided solely for the Nisqually watershed.
- (9) Up to \$1,200,000 of the appropriation is provided for grants to lead local government entities for planning unit administrative support to watershed planning units. Such grants shall only be provided to those entities that have completed, approved plans that are actively being implemented. Grant amounts will range from \$30,000 to \$60,000, based on criteria to be developed by the department. Criteria should consider factors including complexity of water issues, geographical size, population growth pressure, rate of plan implementation, and others issues to be determined by the department.

Appropriation:

State Building Construction Account--State	\$16,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$64,000,000
TOTAL	\$80,000,000

NEW SECTION. Sec. 3055. FOR THE DEPARTMENT OF ECOLOGY
Yakima River Basin Water Storage Feasibility Study (08-4-026)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for completion of the United States bureau of reclamation's Yakima Basin storage feasibility study, including the associated joint national environmental policy act, the state environmental policy act, and environmental impact statement. The appropriated funds shall be used by the bureau of reclamation and the department of ecology to evaluate potential in-basin storage facilities such as the proposed Black Rock and Wymer reservoirs and other reasonable alternatives that will enhance water supply in the Yakima Basin.

Appropriation:

State Building Construction Account--State	\$3,250,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,250,000

NEW SECTION. Sec. 3056. FOR THE DEPARTMENT OF ECOLOGY
Transfer of Water Rights for Cabin Owners (08-1-951)

The appropriation in this section is subject to the following conditions and limitations: \$450,000 is appropriated to purchase water for domestic water users in the Yakima Basin (WRIAs 37, 38, and 39) that have a surface water right with a priority date later than May 10, 1905, as well as for all out-of-priority surface water users in the Yakima Basin. A portion of the appropriation may be used for administrative and other costs associated with acquiring and transferring the water rights. The department shall recover all costs from participating domestic water users for their prorated portion of the cost of securing a water right or rights for this purpose and associated annual operational costs owed to the United States bureau of reclamation. Funds recovered in this manner shall be placed in the drought preparedness account.

Appropriation:

State Building Construction Account--State	\$450,000
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Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$450,000

NEW SECTION. Sec. 3057. FOR THE STATE PARKS AND RECREATION COMMISSION
Spokane Centennial Trail - Unanticipated Receipt (03-2-001)

Reappropriation:	
General Fund--Private/Local	\$34,000
Prior Biennia (Expenditures)	\$5,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$39,000

NEW SECTION. Sec. 3058. FOR THE STATE PARKS AND RECREATION COMMISSION
Cowan Barn and House (06-2-851)

Reappropriation:	
State Building Construction Account--State	\$250,000
Prior Biennia (Expenditures)	\$51,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$301,000

NEW SECTION. Sec. 3059. FOR THE STATE PARKS AND RECREATION COMMISSION
Deception Pass - Renewed Traditions (06-2-013)

Reappropriation:	
State Building Construction Account--State	\$770,000
Prior Biennia (Expenditures)	\$100,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$870,000

NEW SECTION. Sec. 3060. FOR THE STATE PARKS AND RECREATION COMMISSION
Facility Preservation - Facilities (06-1-004)

Reappropriation:	
State Building Construction Account--State	\$6,000,000
Prior Biennia (Expenditures)	\$4,419,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,419,000

NEW SECTION. Sec. 3061. FOR THE STATE PARKS AND RECREATION COMMISSION
Fort Worden - Facilities (06-1-003)

Reappropriation:	
State Building Construction Account--State	\$432,000
Prior Biennia (Expenditures)	\$838,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,270,000

NEW SECTION. Sec. 3062. FOR THE STATE PARKS AND RECREATION COMMISSION
Historic Stewardship - Stewardship (06-1-002)

Reappropriation:	
State Building Construction Account--State	\$1,485,000
Prior Biennia (Expenditures)	\$117,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,602,000

NEW SECTION. Sec. 3063. FOR THE STATE PARKS AND RECREATION COMMISSION
Ice Age Floods - Cherished Resources (06-2-014)

Reappropriation:	
State Building Construction Account--State	\$150,000
Prior Biennia (Expenditures)	\$78,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$228,000

NEW SECTION. Sec. 3064. FOR THE STATE PARKS AND RECREATION COMMISSION
 Natural Resources - Stewardship (06-1-001)

Reappropriation:

State Building Construction Account--State	\$600,000
Prior Biennia (Expenditures)	\$89,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$689,000

NEW SECTION. Sec. 3065. FOR THE STATE PARKS AND RECREATION COMMISSION
 Park Development (06-1-950)

Reappropriation:

State Building Construction Account--State	\$300,000
Prior Biennia (Expenditures)	\$415,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$715,000

NEW SECTION. Sec. 3066. FOR THE STATE PARKS AND RECREATION COMMISSION
 Revenue Creation - Financial Strategy (06-2-010)

Reappropriation:

State Building Construction Account--State	\$1,100,000
Prior Biennia (Expenditures)	\$250,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,350,000

NEW SECTION. Sec. 3067. FOR THE STATE PARKS AND RECREATION COMMISSION
 Rocky Reach - Chelan County Public Utility District (06-1-023)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided to construct and surface the northern mile of Rocky Reach trail, and partially fund installation of signs, interpretive panels, and bridges related to the 5.1 mile project.

Reappropriation:

Parks Renewal and Stewardship Account--Private/Local	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 3068. FOR THE STATE PARKS AND RECREATION COMMISSION
 Southeast Washington Parks (06-2-852)

Reappropriation:

State Building Construction Account--State	\$217,000
Prior Biennia (Expenditures)	\$2,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$219,000

NEW SECTION. Sec. 3069. FOR THE STATE PARKS AND RECREATION COMMISSION
 Statewide Boat Pumpout - Federal Clean Vessel Act (06-4-018)

Reappropriation:

General Fund--Federal	\$696,000
Prior Biennia (Expenditures)	\$40,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$736,000

NEW SECTION. Sec. 3070. FOR THE STATE PARKS AND RECREATION COMMISSION
 Trails (06-2-017)

Reappropriation:

State Building Construction Account--State	\$441,000
Prior Biennia (Expenditures)	\$208,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$649,000

NEW SECTION. Sec. 3071. FOR THE STATE PARKS AND RECREATION COMMISSION
Hood Canal Wastewater (06-1-850)

Reappropriation:

Hood Canal Aquatic Rehabilitation Bond	
Account--State	\$5,100,000
Prior Biennia (Expenditures)	\$702,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,802,000

NEW SECTION. Sec. 3072. FOR THE STATE PARKS AND RECREATION COMMISSION
Puget Sound Wastewater (06-1-851)

Reappropriation:

State Building Construction Account--State	\$6,100,000
Prior Biennia (Expenditures)	\$1,095,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,195,000

NEW SECTION. Sec. 3073. FOR THE STATE PARKS AND RECREATION COMMISSION
Sustainable Development and Restoration (06-1-011)

Reappropriation:

State Toxics Control Account--State	\$80,000
Prior Biennia (Expenditures)	\$412,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$492,000

NEW SECTION. Sec. 3074. FOR THE STATE PARKS AND RECREATION COMMISSION
Cama Beach - New Destinations (06-2-011)

Reappropriation:

State Building Construction Account--State	\$4,015,000
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Appropriation:

State Building Construction Account--State	\$1,800,000
Prior Biennia (Expenditures)	\$305,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,120,000

NEW SECTION. Sec. 3075. FOR THE STATE PARKS AND RECREATION COMMISSION
Bay View Park Wide Wastewater Treatment System (08-2-041)

Appropriation:

State Building Construction Account--State	\$2,187,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,187,000

NEW SECTION. Sec. 3076. FOR THE STATE PARKS AND RECREATION COMMISSION
Beacon Rock-Pierce Trust Grant (08-4-034)

Appropriation:

Parks Renewal and Stewardship Account--	
Private/Local	\$25,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$100,000
TOTAL	\$125,000

NEW SECTION. Sec. 3077. FOR THE STATE PARKS AND RECREATION COMMISSION
Belfair Major Park Upgrade (08-1-018)

Appropriation:

State Building Construction Account--State	\$400,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,500,000
TOTAL	\$2,900,000

NEW SECTION. Sec. 3078. FOR THE STATE PARKS AND RECREATION COMMISSION
 Cape Disappointment Major Park Upgrade (08-1-012)

Appropriation:

State Building Construction Account--State	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$4,219,000
TOTAL	\$4,719,000

NEW SECTION. Sec. 3079. FOR THE STATE PARKS AND RECREATION COMMISSION
 Clean Vessel Boating Pumpout Grants (08-4-035)

The appropriation in this section is subject to the following conditions and limitations: The commission shall coordinate with the department of natural resources to develop a plan to transition the boat pumpout grant program to the department of natural resources. The legislature intends to accelerate the use of the federal money for boat pumpouts and integrate the grant program with the aquatic lands leasing program of the department of natural resources. The transition plan shall be submitted to the office of financial management and the appropriate committees of the legislature by September 1, 2007. The plan shall include the necessary supplemental budget adjustments to accomplish the transition by July 1, 2008.

Appropriation:

General Fund--Federal	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,000,000
TOTAL	\$3,000,000

NEW SECTION. Sec. 3080. FOR THE STATE PARKS AND RECREATION COMMISSION
 Deferred Maintenance (08-1-025)

The appropriation in this section is subject to the following conditions and limitations: The department shall develop a plan of action, agreed upon between the office of financial management and the appropriate fiscal committees of the legislature by September 1, 2007. Up to \$200,000 of the appropriation may be used for systems necessary to implement the plan. The plan shall address the conclusions and key findings in the 2006 study of the department's capital development, execution, and monitoring process, including but not limited to:

- (1) The capital budget submittal and approval process;
- (2) Emergent needs and unforeseen cost overruns;
- (3) Adherence to project budgets and schedules;
- (4) Project completion rate;
- (5) Agency expenditure of capital budget appropriations;
- (6) Permitting delays;
- (7) The number of projects with complete close-out;
- (8) Project funding sources by project, phase, and/or activity;
- (9) Movement of project funding sources from original appropriation;
- (10) Satisfaction levels of operations staff and end users; and
- (11) Instances of noncompliance with environmental regulations.

Appropriation:

State Building Construction Account--State	\$3,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$14,000,000
TOTAL	\$17,500,000

NEW SECTION. Sec. 3081. FOR THE STATE PARKS AND RECREATION COMMISSION
 Visible Park Improvements (08-1-951)

Appropriation:

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

NEW SECTION. Sec. 3082. FOR THE STATE PARKS AND RECREATION COMMISSION
 Emergency Repairs (08-1-024)

Appropriation:

State Building Construction Account--State	\$600,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$1,200,000
TOTAL	\$1,800,000

NEW SECTION. Sec. 3083. FOR THE STATE PARKS AND RECREATION COMMISSION
 Federal Grant Authority (08-4-032)

Appropriation:

General Fund--Federal	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,000,000
TOTAL	\$2,500,000

NEW SECTION. Sec. 3084. FOR THE STATE PARKS AND RECREATION COMMISSION
 Historic Preservation (08-1-002)

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

- (1) \$500,000 of the appropriation is provided solely for the design, permits, and drawings for the seminary building at St. Edward State Park.
 (2) \$500,000 of the appropriation is provided solely for improvements to prevent further degradation of the seminary building.

Appropriation:

State Building Construction Account--State	\$7,101,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$14,500,000
TOTAL	\$21,601,000

NEW SECTION. Sec. 3085. FOR THE STATE PARKS AND RECREATION COMMISSION
 Ice Age Flood (08-2-037)

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

- (1) \$3,000,000 of the appropriation is provided solely for a grant for the Hanford Reach national monument heritage and visitor center. The funds may be used for preconstruction activities.
 (2) \$100,000 is provided for the department to prepare interpretive materials describing the ice age floods.

Appropriation:

State Building Construction Account--State	\$3,100,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,100,000

NEW SECTION. Sec. 3086. FOR THE STATE PARKS AND RECREATION COMMISSION
 Local Grant Authority (08-4-033)

Appropriation:

Parks Renewal and Stewardship Account--Private/Local	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,000,000
TOTAL	\$2,500,000

NEW SECTION. Sec. 3087. FOR THE STATE PARKS AND RECREATION COMMISSION
 Minor Works - Facility Preservation (08-1-001)

Appropriation:

State Building Construction Account--State	\$10,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$40,000,000
TOTAL	\$50,000,000

NEW SECTION. Sec. 3088. FOR THE STATE PARKS AND RECREATION COMMISSION
 Parkland Acquisition (08-2-031)

The appropriation in this section is subject to the following conditions and limitations: The state parks and recreation commission shall provide lists of potential purchases and sales to the office of financial management and the appropriate policy and fiscal committees of the legislature prior to committing the state parks and recreation commission to any sale or purchase of land or buildings and prior to any allotments made for those purchases. The list shall include any potential operating or capital cost impacts known to the state parks and recreation commission.

Appropriation:

Parkland Acquisition Account--State	\$4,000,000
Prior Biennia (Expenditures)	\$0

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

NEW SECTION. Sec. 3089. FOR THE STATE PARKS AND RECREATION COMMISSION
 Pearrygin Lake Major Park Upgrade (08-2-016)

Appropriation:
 State Building Construction Account--State \$1,367,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$3,633,000
 TOTAL \$5,000,000

NEW SECTION. Sec. 3090. FOR THE STATE PARKS AND RECREATION COMMISSION
 Road Preservation (08-1-036)

Appropriation:
 State Building Construction Account--State \$3,700,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$3,700,000

NEW SECTION. Sec. 3091. FOR THE STATE PARKS AND RECREATION COMMISSION
 Storm Water Improvements (08-1-027)

Appropriation:
 State Building Construction Account--State \$571,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$3,000,000
 TOTAL \$3,571,000

NEW SECTION. Sec. 3092. FOR THE STATE PARKS AND RECREATION COMMISSION
 Trail Development (08-1-008)

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

- (1) \$500,000 of the appropriation is provided solely to construct the ecological trail from Baker Bay to the Pacific ocean at Cape Disappointment state park, as identified in the commission's master capital plan.
- (2) \$350,000 of the appropriation is provided solely for upgrades to the Squak mountain trail.

Appropriation:
 State Building Construction Account--State \$4,350,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$4,350,000

NEW SECTION. Sec. 3093. FOR THE STATE PARKS AND RECREATION COMMISSION
 Statewide Boat Pumpout (04-4-014)

The appropriation in this section is subject to the following conditions and limitations: The commission shall coordinate with the department of natural resources to develop a plan to transition the boat pumpout grant program to the department of natural resources. The legislature intends to accelerate the use of the federal money for boat pumpouts and integrate the grant program with the aquatic lands leasing program of the department of natural resources. The transition plan shall be submitted to the office of financial management and the appropriate committees of the legislature by September 1, 2007. The plan shall include the necessary supplemental budget adjustments to accomplish the transition by July 1, 2008.

Reappropriation:
 General Fund--Federal \$497,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$497,000

NEW SECTION. Sec. 3094. FOR THE STATE PARKS AND RECREATION COMMISSION
 Cama Beach Donation (06-2-853)

Reappropriation:
 General Fund--Private/Local \$1,716,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0

TOTAL \$1,716,000

NEW SECTION. Sec. 3095. FOR THE STATE PARKS AND RECREATION COMMISSION

Lake Sammamish Major Park Upgrade (08-1-014)

Appropriation:

State Building Construction Account--State \$1,400,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$1,400,000

NEW SECTION. Sec. 3096. FOR THE STATE PARKS AND RECREATION COMMISSION

City to Mountains Regional Gap Fund (08-1-950)

Appropriation:

State Building Construction Account--State \$3,600,000

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$3,600,000

NEW SECTION. Sec. 3097. FOR THE STATE PARKS AND RECREATION COMMISSION

Nisqually Mashel State Park (08-1-953)

Appropriation:

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

Prior Biennia (Expenditures) \$0

Future Biennia (Projected Costs) \$0

TOTAL \$500,000

NEW SECTION. Sec. 3098. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

Boating Facilities Projects (98-2-001)

Reappropriation:

Recreation Resources Account--State \$1,369,000

Prior Biennia (Expenditures) \$18,187,000

Future Biennia (Projected Costs) \$0

TOTAL \$19,556,000

NEW SECTION. Sec. 3099. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

Firearms and Archery Range Program (98-2-004)

Reappropriation:

Firearms Range Account--State \$25,000

Prior Biennia (Expenditures) \$549,000

Future Biennia (Projected Costs) \$0

TOTAL \$574,000

NEW SECTION. Sec. 3100. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

Nonhighway Off-Road Vehicle Program (NOVA) (98-2-002)

Reappropriation:

Nonhighway and Off-Road Vehicle Activities
Program Account--State \$249,000

Prior Biennia (Expenditures) \$10,847,000

Future Biennia (Projected Costs) \$0

TOTAL \$11,096,000

NEW SECTION. Sec. 3101. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION

Washington Wildlife and Recreation Program (98-2-003)

Reappropriation:

Outdoor Recreation Account--State \$1,767,000

Habitat Conservation Account--State \$2,252,000

Subtotal Reappropriation \$4,019,000

Prior Biennia (Expenditures) \$73,582,000

Future Biennia (Projected Costs) \$0

TOTAL \$77,601,000

NEW SECTION. Sec. 3102. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Salmon Recovery Funding Board Programs (00-2-001)

Reappropriation:
 General Fund--Federal \$166,000
 Salmon Recovery Account--State \$1,175,000
 Subtotal Reappropriation \$1,341,000

 Prior Biennia (Expenditures) \$100,284,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$101,625,000

NEW SECTION. Sec. 3103. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Boating Facilities Program (02-4-001)

Reappropriation:
 Recreation Resources Account--State \$766,000

 Prior Biennia (Expenditures) \$6,167,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$6,933,000

NEW SECTION. Sec. 3104. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Boating Infrastructure Grant (02-4-010)

Reappropriation:
 Recreation Resources Account--Federal \$529,000

 Prior Biennia (Expenditures) \$1,471,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$2,000,000

NEW SECTION. Sec. 3105. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Firearms and Archery Range Program (02-0-001)

Reappropriation:
 Firearms Range Account--State \$43,000

 Prior Biennia (Expenditures) \$357,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$400,000

NEW SECTION. Sec. 3106. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Hatchery Management Program (02-4-009)

Reappropriation:
 General Fund--Federal \$1,482,000

 Prior Biennia (Expenditures) \$9,719,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$11,201,000

NEW SECTION. Sec. 3107. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Land and Water Conservation Fund (02-4-005)

Reappropriation:
 Recreation Resources Account--Federal \$1,350,000

 Prior Biennia (Expenditures) \$6,150,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$7,500,000

NEW SECTION. Sec. 3108. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Nonhighway Off-Road Vehicle Program (NOVA) (02-4-002)

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

(1) The reappropriation for the nonhighway and off road vehicle program under RCW 46.09.170(2)(d)(i) is subject to the following conditions and limitations: A portion of the reappropriation may be used for grants to projects to research, develop, publish, and distribute informational guides and maps of nonhighway and off road vehicle trails and associated facilities meeting the requirements, guidelines, spirit, and intent of the federal Americans with disabilities act.

(2) The reappropriation for the nonhighway and off road vehicle program under RCW 46.09.170(2)(d)(ii) is subject to the following conditions and limitations: The portion of the reappropriation that applies to grants for capital facilities may be used for grants to projects that meet the requirements, guidelines, spirit, and intent of the federal Americans with disabilities act and do not compromise or impair sensitive natural resources. The portion of the reappropriation that applies to grants for management, maintenance, and operation of existing off road vehicle recreation facilities may be used to bring the facilities into compliance with the requirements, guidelines, spirit, and intent of the federal Americans with disabilities act.

(3) The reappropriation for the nonhighway and off road vehicle program under RCW 46.09.170(2)(d)(iii) is subject to the following conditions and limitations: Funds may be expended for nonhighway road recreation facilities which may include recreational trails that are accessed by nonhighway roads and are intended solely for nonmotorized recreational uses.

Reappropriation:

Nonhighway and Off-Road Vehicle Activities Program Account--State	\$69,000
Prior Biennia (Expenditures)	\$5,459,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,528,000

NEW SECTION. Sec. 3109. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Salmon Recovery Funding Board Programs (02-4-007)

Reappropriation:

General Fund--Federal	\$8,470,000
State Building Construction Account--State	\$2,786,000
Subtotal Reappropriation	\$11,256,000
Prior Biennia (Expenditures)	\$63,737,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$74,993,000

NEW SECTION. Sec. 3110. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Washington Wildlife and Recreation Program (02-4-003)

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 projects in the following order: (1) The department of natural resources Cypress Island project; and (2) alternate projects approved by the legislature from the same account in biennia succeeding that in which the funds were originally appropriated.

Reappropriation:

Outdoor Recreation Account--State	\$299,000
Habitat Conservation Account--State	\$1,164,000
Subtotal Reappropriation	\$1,463,000
Prior Biennia (Expenditures)	\$43,537,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$45,000,000

NEW SECTION. Sec. 3111. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Aquatic Lands Enhancement (04-4-018)

Reappropriation:

Aquatic Lands Enhancement Account--State	\$1,395,000
Prior Biennia (Expenditures)	\$3,962,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,357,000

NEW SECTION. Sec. 3112. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Boating Facilities Program (04-4-003)

Reappropriation:

Recreation Resources Account--State	\$1,501,000
Prior Biennia (Expenditures)	\$6,006,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,507,000

NEW SECTION. Sec. 3113. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Boating Infrastructure Grant (04-4-009)

Reappropriation:

General Fund--Federal	\$720,000
Prior Biennia (Expenditures)	\$1,280,000

Future Biennia (Projected Costs) \$0
 TOTAL \$2,000,000

NEW SECTION. Sec. 3114. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Family Forest Fish Blockages Program (04-4-011)

Reappropriation:
 State Building Construction Account--State \$188,000

 Prior Biennia (Expenditures) \$1,812,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$2,000,000

NEW SECTION. Sec. 3115. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Firearms and Archery Range Program (04-4-006)

Reappropriation:
 Firearms Range Account--State \$82,000

 Prior Biennia (Expenditures) \$169,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$251,000

NEW SECTION. Sec. 3116. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Hatchery Management Program (04-4-010)

Reappropriation:
 General Fund--Federal \$3,002,000

 Prior Biennia (Expenditures) \$6,997,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$9,999,000

NEW SECTION. Sec. 3117. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Land and Water Conservation Fund (04-4-007)

Reappropriation:
 General Fund--Federal \$1,133,000

 Prior Biennia (Expenditures) \$4,602,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$5,735,000

NEW SECTION. Sec. 3118. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 National Recreation Trails Program (04-4-008)

Reappropriation:
 General Fund--Federal \$226,000

 Prior Biennia (Expenditures) \$2,034,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$2,260,000

NEW SECTION. Sec. 3119. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Nonhighway and Off-Road Vehicle Activities Program (NOVA) (04-4-004)

Reappropriation:
 Nonhighway and Off-Road Vehicle Activities
 Program Account--State \$2,665,000

 Prior Biennia (Expenditures) \$4,262,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$6,927,000

NEW SECTION. Sec. 3120. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Salmon Recovery Fund Board Programs (04-4-001)

Reappropriation:
 General Fund--Federal \$15,132,000
 State Building Construction Account--State \$5,682,000
 Subtotal Reappropriation \$20,814,000

 Prior Biennia (Expenditures) \$25,561,000

Future Biennia (Projected Costs)	\$0
TOTAL	\$46,375,000

NEW SECTION. Sec. 3121. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Washington Wildlife and Recreation Program (04-4-002)

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	\$4,394,000
Habitat Conservation Account--State	\$10,267,000
Subtotal Reappropriation	\$14,661,000
Prior Biennia (Expenditures)	\$30,339,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$45,000,000

NEW SECTION. Sec. 3122. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Hood Canal Aquatic Rehabilitation Program (06-4-850)

Reappropriation:

Hood Canal Aquatic Rehabilitation Bond Account--State	\$996,000
Prior Biennia (Expenditures)	\$4,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 3123. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Aquatic Lands Enhancement Account (06-4-018)

Reappropriation:

Aquatic Lands Enhancement Account--State	\$2,010,000
Prior Biennia (Expenditures)	\$3,015,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,025,000

NEW SECTION. Sec. 3124. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Boating Facilities Program (06-4-003)

Reappropriation:

Recreation Resources Account--State	\$3,340,000
Prior Biennia (Expenditures)	\$3,931,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,271,000

NEW SECTION. Sec. 3125. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Boating Infrastructure Grant (06-4-009)

Reappropriation:

General Fund--Federal	\$80,000
Prior Biennia (Expenditures)	\$120,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

NEW SECTION. Sec. 3126. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Family Forest Fish Passage Program (06-4-011)

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

(1) The reappropriation is provided solely for the salmon recovery funding board in consultation with the small forest landowner office of the department of natural resources and the department of fish and wildlife to provide grants to correct fish passage blockages on nonindustrial forest lands. Selection of projects must be coordinated with the other salmon recovery grant programs provided in section 3132 of this act.

(2) In addition to the annual project progress reporting requirement of RCW 43.88.160(3), the committee shall file quarterly project progress reports with the office of financial management.

Reappropriation:

General Fund--Federal	\$35,000
State Building Construction Account--State	\$2,502,000

Subtotal Reappropriation	\$2,537,000
Prior Biennia (Expenditures)	\$1,830,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,367,000

NEW SECTION. Sec. 3127. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Firearm and Archery Range Program (06-4-006)

Reappropriation:

Firearms Range Account--State	\$113,000
Prior Biennia (Expenditures)	\$109,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$222,000

NEW SECTION. Sec. 3128. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Improve Hatchery Management (06-4-010)

Reappropriation:

General Fund--Federal	\$2,400,000
Prior Biennia (Expenditures)	\$3,600,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,000,000

NEW SECTION. Sec. 3129. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Land and Water Conservation Fund (06-4-007)

Reappropriation:

General Fund--Federal	\$3,150,000
Prior Biennia (Expenditures)	\$1,350,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,500,000

NEW SECTION. Sec. 3130. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 National Recreation Trails Program (06-4-008)

Reappropriation:

General Fund--Federal	\$1,830,000
Prior Biennia (Expenditures)	\$970,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,800,000

NEW SECTION. Sec. 3131. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Nonhighway and Off-Road Vehicle Program (NOVA) (06-4-004)

The reappropriation in this section is subject to the following conditions and limitations: Up to \$100,000 of the reappropriation is for the following studies:

(1) The committee shall prepare cost estimates for creating a database of motorized and nonmotorized off-road trails and facilities in Washington state. The cost estimate shall consider the possibility of a database that allows the downloading of maps formatted for the most widely used GPS devices, including the feasibility and cost to make GPS maps readily available for all users of Washington recreational lands and facilities. For this purpose, available GPS maps shall include GPS maps developed by state agencies, by federal agencies, and proprietary maps offered by private companies.

(2) The committee shall recommend a program for enhanced education and enforcement regarding excessive noise from off-road vehicles. The study shall include a review of relevant existing laws and regulations. The recommendations shall address the appropriate equipment needed for enforcement, model ordinances, enhanced educational strategies, and a proposed grant program to assist local governments to more effectively reduce the impact of excessive ORV noise in rural residential neighborhoods and nonresidential areas, including consideration of grant programs for planning departments, code enforcement departments, health departments, or other entities of local government.

Reappropriation:

Nonhighway and Off-Road Vehicle Activities Program Account--State	\$5,157,000
Prior Biennia (Expenditures)	\$2,422,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,579,000

NEW SECTION. Sec. 3132. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Salmon Recovery Fund Board Programs (06-4-001)

The reappropriations in this section are subject to the following conditions and limitations: The reappropriations are provided solely for grants for salmon recovery efforts. These grants may include a grant to any regional recovery board and/or may include grants for additional restoration projects, monitoring activities, or other salmon recovery actions.

Reappropriation:

General Fund--Federal	\$25,739,000
State Building Construction Account--State	\$13,412,000
Subtotal Reappropriation	\$39,151,000
Prior Biennia (Expenditures)	\$22,849,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$62,000,000

NEW SECTION. Sec. 3133. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Washington Wildlife and Recreation Program (06-4-002)

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

(1) The reappropriation is provided for the approved list of projects in LEAP capital document No. 2005-14 as developed on April 9, 2005.
 (2) Funds reappropriated for distribution according to RCW 79A.15.050 shall fulfill the uses and restrictions of each category whether the funds are distributed according to the statutory allotment, the unallocated distribution, or a reassignment of reappropriations. If the cumulative total for acquisition projects is less than the statutory requirement, the difference may be allocated to the remaining development projects.

(3) Funds reappropriated for distribution according to the provisions of RCW 79A.15.040(1)(c) shall be allocated forty percent to local government projects and sixty percent to state agency projects. If the cumulative total of local government projects is less than forty percent of the total distribution to this category, the difference may be allocated to state agency projects.

Reappropriation:

Outdoor Recreation Account--State	\$13,363,000
Habitat Conservation Account--State	\$17,062,000
Subtotal Reappropriation	\$30,425,000
Prior Biennia (Expenditures)	\$19,575,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$50,000,000

NEW SECTION. Sec. 3134. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Youth Athletic Fields (06-2-952)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is provided solely for competitive grants for acquisition, development, and renovation of youth athletic fields. The committee shall follow the applicable rules of the youth athletic facilities program, except that grants for maintenance are not eligible and the amount of a grant need not be in proportion to the population of the city or county where the community outdoor athletic facility is located.

Reappropriation:

State Building Construction Account--State	\$2,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,500,000

NEW SECTION. Sec. 3135. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Aquatic Lands Enhancement Account (08-4-005)

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

(1) The appropriation in this section is provided solely for the list of projects in LEAP capital document No. 2007-1, developed March 17, 2007.

(2) The committee shall submit a list of recommended projects to be funded from the aquatic lands enhancement account in the 2009-2011 capital budget to the office of financial management and the appropriate legislative committees. The list shall result from a competitive grants program developed by the committee based upon, at a minimum: (a) Uniform criteria for selecting projects and awarding grants for up to fifty percent of the total projects cost; (b) local community support for the projects; and (c) environmental benefits to be derived from projects.

Appropriation:

Aquatic Lands Enhancement Account--State	\$5,025,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,100,000
TOTAL	\$25,125,000

NEW SECTION. Sec. 3136. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
 Boating Facilities Program (08-4-001)

Appropriation:

Recreation Resources Account--State	\$8,021,000
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Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$35,688,000
TOTAL	\$43,709,000

NEW SECTION. Sec. 3137. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Boating Improvement Grants (08-4-002)

Appropriation:

General Fund--Federal	\$200,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$800,000
TOTAL	\$1,000,000

NEW SECTION. Sec. 3138. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Family Forest and Fish Passage Program (08-2-001)

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

(1) The appropriation in this section is provided solely for the salmon recovery funding board in consultation with the small forest landowner office of the department of natural resources and the department of fish and wildlife to provide grants to correct fish passage blockages on nonindustrial forest lands. Selection of projects must be coordinated with the other salmon recovery grant programs provided in section 3140 of this act.

(2) In addition to the annual project progress reporting requirement of RCW 43.88.160(3), the committee shall file quarterly project progress reports with the office of financial management.

Appropriation:

State Building Construction Account--State	\$6,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$24,000,000
TOTAL	\$30,000,000

NEW SECTION. Sec. 3139. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Firearms and Archery Range Recreation (08-4-003)

Appropriation:

Firearms Range Account--State	\$472,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$1,007,000
TOTAL	\$1,479,000

NEW SECTION. Sec. 3140. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Salmon Recovery Funding Board Programs (SRFB) (08-4-851)

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

(1) The appropriations in this section are provided solely for grants for salmon recovery efforts. These grants may include grants to any regional recovery board and/or may include grants for additional restoration projects, monitoring activities, or other salmon recovery actions.

(2) The administrative funding currently provided by the salmon recovery funding board for the regional salmon recovery organization in Puget Sound shall be redirected to the Puget Sound partnership created in chapter ... ([House][Senate] Bill No.), Laws of 2007 (Z-0369, Puget Sound partnership).

(3) Prior to awarding project grants for projects in Puget Sound, the salmon recovery funding board shall submit the list of proposed projects to the Puget Sound partnership for their review. The Puget Sound partnership shall provide their comments back to the salmon recovery funding board within forty-five days of receiving the proposed list of projects.

Appropriation:

General Fund--Federal	\$42,000,000
State Building Construction Account--State	\$18,000,000
Subtotal Appropriation	\$60,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$240,000,000
TOTAL	\$300,000,000

NEW SECTION. Sec. 3141. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Hatchery Reform Program (08-4-006)

Appropriation:

General Fund--Federal	\$6,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$32,000,000
TOTAL	\$38,000,000

NEW SECTION. Sec. 3142. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Land and Water Conservation (08-4-007)

Appropriation:

General Fund--Federal	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$4,000,000
TOTAL	\$5,000,000

NEW SECTION. Sec. 3143. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
National Recreational Trails Program (08-4-009)

Appropriation:

General Fund--Federal	\$3,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$14,000,000
TOTAL	\$17,500,000

NEW SECTION. Sec. 3144. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Nonhighway Off-Road Vehicle Activities (08-4-008)

The appropriation in this section is subject to the following conditions and limitations: \$450,000 of the appropriation is provided solely for grants to local law enforcement agencies for the enforcement of existing state noise laws and regulations. Grants may be used to acquire noise monitoring equipment and to compensate law enforcement agencies for staff overtime and administrative expenses.

Appropriation:

Nonhighway Off-Road Vehicle Activities Program Account--State	\$9,036,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$42,945,000
TOTAL	\$51,981,000

NEW SECTION. Sec. 3145. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Puget Sound Restoration and Acquisition (08-4-004)

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

(1) Prior to awarding project grants, the department shall provide the Puget Sound partnership, as created by sections 111 and 112, chapter ... (Substitute Senate Bill No. 5372) Laws of 2007, the opportunity to review and provide comment on project evaluation ranking criteria, and proposed projects and activities recommended for funding.

(2) All estuary projects shall be submitted for review and coordination with the executive committee of the Puget Sound nearshore partnership between the department of fish and wildlife and the United States army corps of engineers.

Appropriation:

State Building Construction Account--State	\$47,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$168,000,000
TOTAL	\$215,000,000

NEW SECTION. Sec. 3146. FOR THE INTERAGENCY COMMITTEE FOR OUTDOOR RECREATION
Washington Wildlife Recreation Grants (08-4-011)

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

(1) The appropriations are provided solely for the approved list of projects in LEAP capital document No. 2007-3 as developed on March 17, 2007.

(2) If additional funds are available after funding the farmlands preservation account projects approved in subsection (1) of this section, the commission may:

(a) Provide one-time grants of up to \$25,000 each to counties requesting assistance in developing farmlands preservation strategies for the purpose of seeking grants from the farmlands preservation account in future grant cycles.

(b) Conduct a second grant cycle in the 2007-2009 biennium for farmlands preservation projects. A ranked list of farmlands preservation projects may be submitted to the governor by November 1, 2007, for approval in the 2008 supplemental capital budget. The governor may remove projects from the list recommended by the committee and shall submit this amended list in the supplemental capital budget request to the legislature.

(3) \$627,299 of the appropriation from the habitat conservation account is provided solely for the Chehalis river surge plain natural area preserve. This amount shall not be expended for the project until the department of natural resources has completed a management plan for the preserve that maintains recreational access and that management plan is presented to the house of representatives capital budget and senate ways and means committees.

Appropriation:

Outdoor Recreation Account--State	\$36,000,000
Farmlands Preservation Account--State	\$9,000,000

Riparian Protection Account--State	\$19,000,000
Habitat Conservation Account--State	\$36,000,000
Subtotal Appropriation	\$100,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$280,000,000
TOTAL	\$380,000,000

NEW SECTION. Sec. 3147. FOR THE STATE CONSERVATION COMMISSION
 Conservation Reserve Enhancement Program (06-4-001)

The reappropriation in this section is subject to the following conditions and limitations: The total cumulative dollar value of state conservation reserve enhancement program grant obligations incurred by the conservation commission and conservation districts shall not exceed \$20,000,000, as provided in the conservation reserve enhancement program agreement between the United States department of agriculture, commodity credit corporation, and the state of Washington executed on October 19, 1998, and subsequent amendments.

Reappropriation:

State Building Construction Account--State	\$1,936,000
Prior Biennia (Expenditures)	\$64,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,000,000

NEW SECTION. Sec. 3148. FOR THE STATE CONSERVATION COMMISSION
 Livestock Water Quality - Landowner Cost Share (06-4-006)

Reappropriation:

Water Quality Capital Account--State	\$10,000
Prior Biennia (Expenditures)	\$2,490,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,500,000

NEW SECTION. Sec. 3149. FOR THE STATE CONSERVATION COMMISSION
 Puget Sound District Grants (06-4-003)

Reappropriation:

Water Quality Capital Account--State	\$100,000
Prior Biennia (Expenditures)	\$1,605,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,705,000

NEW SECTION. Sec. 3150. FOR THE STATE CONSERVATION COMMISSION
 Water Quality Grants Program (06-4-007)

Reappropriation:

Water Quality Capital Account--State	\$300,000
Prior Biennia (Expenditures)	\$6,450,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,750,000

NEW SECTION. Sec. 3151. FOR THE STATE CONSERVATION COMMISSION
 Skokomish Anaerobic Digester (06-4-009)

Reappropriation:

State Building Construction Account--State	\$500,000
Prior Biennia (Expenditures)	\$60,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$560,000

NEW SECTION. Sec. 3152. FOR THE STATE CONSERVATION COMMISSION
 Land Restoration (07-1-001)

Reappropriation:

State Building Construction Account--State	\$587,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$587,000

NEW SECTION. Sec. 3153. FOR THE STATE CONSERVATION COMMISSION
 Conservation Reserve Enhancement Program Cost Share (08-4-005)

Appropriation:

State Building Construction Account--State	\$1,170,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,170,000

NEW SECTION. Sec. 3154. FOR THE STATE CONSERVATION COMMISSION
 Conservation Reserve Enhancement Program Water Quality (08-4-002)

Appropriation:

State Building Construction Account--State	\$709,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$709,000

NEW SECTION. Sec. 3155. FOR THE STATE CONSERVATION COMMISSION
 Practice Incentive Payment Loan Program (08-4-004)

Appropriation:

Conservation Assistance Revolving Account--State	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$3,000,000
TOTAL	\$4,000,000

NEW SECTION. Sec. 3156. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Deschutes Watershed Center (06-2-008)

The reappropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the design of the Deschutes Watershed center.

Reappropriation:

State Building Construction Account--State	\$582,000
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Appropriation:

State Building Construction Account--State	\$2,345,000
Prior Biennia (Expenditures)	\$268,000
Future Biennia (Projected Costs)	\$21,500,000
TOTAL	\$24,695,000

NEW SECTION. Sec. 3157. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Department of Natural Resources Land Exchange - Shrub Steppe (06-2-851)

The reappropriation in this section is subject to the following conditions and limitations: Funding is provided solely to appraise the value of lands for exchange with the department of natural resources. Forest lands transferred to the department of natural resources under this section shall be actively managed by the department under a cooperative agreement with surrounding public and private landowners to implement landscape scale restoration and other management objectives.

Reappropriation:

State Building Construction Account--State	\$250,000
Prior Biennia (Expenditures)	\$250,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 3158. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Facility, Infrastructure, Lands, and Access Condition Improvements (06-1-002)

The reappropriation in this section is subject to the following conditions and limitations: Up to \$5,000 of the reappropriation in this section is for bank stabilization of the south Toledo access road.

Reappropriation:

State Building Construction Account--State	\$1,937,000
Prior Biennia (Expenditures)	\$4,520,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,457,000

NEW SECTION. Sec. 3159. FOR THE DEPARTMENT OF FISH AND WILDLIFE
Fish and Wildlife Opportunity Improvements (06-2-004)

Reappropriation:	
State Building Construction Account--State	\$155,000
Prior Biennia (Expenditures)	\$345,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 3160. FOR THE DEPARTMENT OF FISH AND WILDLIFE
Hatchery Reform, Retrofits, and Condition Improvements (06-1-001)

Reappropriation:	
State Building Construction Account--State	\$2,195,000
Prior Biennia (Expenditures)	\$4,076,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,271,000

NEW SECTION. Sec. 3161. FOR THE DEPARTMENT OF FISH AND WILDLIFE
Fish and Wildlife Population and Habitat Protection (06-1-003)

Reappropriation:	
Wildlife Account--State	\$20,000
Prior Biennia (Expenditures)	\$580,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$600,000

NEW SECTION. Sec. 3162. FOR THE DEPARTMENT OF FISH AND WILDLIFE
Sinlahekin Creek Dams - Flood Damage Repair (07-1-004)

Reappropriation:	
State Building Construction Account--State	\$70,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$70,000

NEW SECTION. Sec. 3163. FOR THE DEPARTMENT OF FISH AND WILDLIFE
Region 1 Office - Complete Phase 1 (07-2-009)

Reappropriation:	
State Building Construction Account--State	\$588,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$588,000

NEW SECTION. Sec. 3164. FOR THE DEPARTMENT OF FISH AND WILDLIFE
2006 Flood Damage (08-1-006)

Appropriation:	
State Building Construction Account--State	\$630,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$630,000

NEW SECTION. Sec. 3165. FOR THE DEPARTMENT OF FISH AND WILDLIFE
Aquatic Lands Enhancement Account (08-2-017)

Appropriation:	
Aquatic Lands Enhancement Account--State	\$350,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$350,000

NEW SECTION. Sec. 3166. FOR THE DEPARTMENT OF FISH AND WILDLIFE
Chambers Creek Adult Trap - Phase 2 (08-1-004)

Appropriation:

State Building Construction Account--State	\$252,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$252,000

NEW SECTION. Sec. 3167. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Dole Bee Be Property (06-1-950)

Reappropriation:

State Building Construction Account--State	\$380,000
Prior Biennia (Expenditures)	\$570,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$950,000

NEW SECTION. Sec. 3168. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Emergency Projects (08-1-019)

Appropriation:

State Building Construction Account--State	\$500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,000,000
TOTAL	\$2,500,000

NEW SECTION. Sec. 3169. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Methow Culverts Replacement (08-1-027)

Appropriation:

State Building Construction Account--State	\$754,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$994,000
TOTAL	\$1,748,000

NEW SECTION. Sec. 3170. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Minor Works - Facility Preservation (08-1-013)

The appropriation in this section is subject to the following conditions and limitations: The department shall develop a plan of action, agreed upon between the office of financial management and the appropriate fiscal committees of the legislature by September 1, 2007. Up to \$200,000 of the appropriation may be used for systems necessary to implement the plan. The plan shall address the conclusions and key findings in the 2006 study of the department's capital development, execution, and monitoring process, including but not limited to:

- (1) The commitment and role of senior management to improve and change the department's capital budget practices;
- (2) The clarification of the commission's role and responsibility for the capital budget process;
- (3) The development of capital program performance measures;
- (4) The alignment of the capital budget process with the department's strategic plan and priorities;
- (5) The implementation of a project scoping process;
- (6) The prioritization of capital projects, including both maintenance and other capital activities;
- (7) The review of business lines; and
- (8) The review of construction project delivery and organization.

Appropriation:

State Building Construction Account--State	\$3,525,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,525,000

NEW SECTION. Sec. 3171. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Minor Works - Health Safety and Code Requirements (08-1-001)

Appropriation:

State Building Construction Account--State	\$2,100,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,100,000

NEW SECTION. Sec. 3172. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Minor Works - Infrastructure Preservation (08-1-014)

Appropriation:

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

NEW SECTION. Sec. 3173. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Mitigation Projects and Dedicated Funding (08-2-048)

The appropriations in this section are subject to the following conditions and limitations: \$2,300,000 of the appropriation 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.

Appropriation:

General Fund--Federal	\$22,800,000
General Fund--Private/Local	\$3,700,000
Game Special Wildlife Account--Federal	\$1,000,000
Game Special Wildlife Account--Private/Local	\$625,000
Subtotal Appropriation	\$28,125,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$106,800,000
TOTAL	\$134,925,000

NEW SECTION. Sec. 3174. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Puget Sound Initiative - Nearshore Salmon Restoration (06-2-001)

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

(1) The appropriations in this section are provided solely for efforts to restore nearshore habitat and estuaries in Puget Sound. The department shall focus on restoring natural nearshore processes, including protection and restoration of beach sediments and removal of existing bulkheads.

(2) The department shall provide the Puget Sound partnership, as created by sections 111 and 112, chapter . . . (Substitute Senate Bill No. 5372), Laws of 2007 the opportunity to review and provide comment on proposed projects and activities recommended for funding, and project evaluation ranking criteria.

(3) Funded projects require a nonstate match or in-kind contributions. The department shall seek to maximize the amount of nonstate match from local, state, tribal, and federal partners. Individual projects require a minimum 33 percent cash or in-kind match.

(4) Eligible projects must be within Puget Sound and identified by a salmon recovery lead entity or marine resource committee and identified in a current salmon recovery, watershed, or nearshore habitat restoration and protection plan.

(5) Project evaluation criteria shall be developed by the Puget Sound nearshore steering committee. The criteria shall be consistent with the technical guidance developed by the Puget Sound nearshore science team and shall be coordinated with the salmon recovery funding board to ensure that project funding and matching requirements are maximized to the greatest extent possible.

(6) The department shall not utilize any amount of this appropriation to support administration or overhead. Funding to support the administration of the funds and the implementation of selected projects shall be obtained from the department's operating budget.

(7) In recognition of the urgent need to complete the Puget Sound nearshore ecosystem restoration project general investigation, up to \$723,000 of this appropriation may be used to match federal funds implementing the cost-share agreement between the department and the United States army corps of engineers.

Reappropriation:

State Building Construction Account--State	\$2,500,000
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Appropriation:

State Building Construction Account--State	\$12,000,000
General Fund--Federal	\$1,000,000
Subtotal Appropriation	\$13,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$28,000,000
TOTAL	\$43,500,000

NEW SECTION. Sec. 3175. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Ranch Lands Irrigation Efficiencies (06-2-952)

The reappropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for irrigation efficiency projects on ranch lands owned by the department.

Reappropriation:

State Building Construction Account--State	\$600,000
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Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$600,000

NEW SECTION. Sec. 3176. FOR THE DEPARTMENT OF FISH AND WILDLIFE

Skookumchuck Hatchery Renovation - Phase 2 (08-2-015)

Appropriation:

State Building Construction Account--State	\$528,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$3,389,000
TOTAL	\$3,917,000

NEW SECTION. Sec. 3177. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Spokane Region One Office - Phase 2 (08-2-008)

As of the effective date of this section, the department of fish and wildlife's Spokane region one building shall be known as the "Fred Shiosaki" building.

Appropriation:

State Building Construction Account--State	\$1,830,000
Prior Biennia (Expenditures)	\$4,400,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,230,000

NEW SECTION. Sec. 3178. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Statewide Fencing Renovation and Replacement (08-1-009)

The appropriation in this section is subject to the following conditions and limitations: \$1,000,000 of the appropriation is provided solely for the replacement of elk fencing lost in the 2005 school fire in the Wooten wildlife area. The department shall contract with another state agency to construct the fence.

Appropriation:

State Building Construction Account--State	\$2,100,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,100,000

NEW SECTION. Sec. 3179. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Sustainability and Energy Savings (06-1-009)

Reappropriation:

State Building Construction Account--State	\$360,000
Prior Biennia (Expenditures)	\$140,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 3180. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Wiley Slough Restoration (08-1-028)

Appropriation:

General Fund--Federal	\$2,500,000
State Building Construction Account--State	\$295,000
Subtotal Appropriation	\$2,795,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,795,000

NEW SECTION. Sec. 3181. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Tokul Creek Hatchery (08-1-005)

Appropriation:

State Building Construction Account--State	\$435,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$4,857,000
TOTAL	\$5,292,000

NEW SECTION. Sec. 3182. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Grazing Monitoring on Fish and Wildlife Lands (08-2-001)

Appropriation:

State Building Construction Account--State	\$200,000
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs) \$0
 TOTAL \$200,000

NEW SECTION. Sec. 3183. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Voights Creek Hatchery - Phase 1 (08-1-003)

Appropriation:
 State Building Construction Account--State \$505,000

 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$6,402,000
 TOTAL \$6,907,000

NEW SECTION. Sec. 3184. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Bee Be Property (08-1-029)

Appropriation:
 State Building Construction Account--State \$502,000

 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$502,000

NEW SECTION. Sec. 3185. FOR THE DEPARTMENT OF FISH AND WILDLIFE
 Combined State Agency Aviation Facility (08-1-950)

Appropriation:
 State Building Construction Account--State \$66,000
 Wildlife Account--State \$66,000
 Subtotal Appropriation \$132,000

 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$1,608,000
 TOTAL \$1,740,000

NEW SECTION. Sec. 3186. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Community and Technical College Trust Land Acquisitions (08-2-004)

Appropriation:
 Community and Technical College Forest Reserve
 Account--State \$200,000

 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$950,000
 TOTAL \$1,150,000

NEW SECTION. Sec. 3187. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Creosote Removal in Puget Sound (08-2-017)

The appropriation in this section is subject to the following conditions and limitations: The department shall provide the Puget Sound partnership, as created by sections 111 and 112, chapter . . . (Substitute Senate Bill No. 5372) Laws of 2007, the opportunity to review and provide comment on project evaluation ranking criteria, and proposed projects and activities recommended for funding.

Appropriation:
 State Toxics Control Account--State \$4,000,000

 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$4,000,000
 TOTAL \$8,000,000

NEW SECTION. Sec. 3188. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Forest Legacy (04-2-015)

Reappropriation:
 General Fund--Federal \$8,186,000
 Appropriation:
 General Fund--Federal \$8,500,000

 Prior Biennia (Expenditures) \$7,520,000
 Future Biennia (Projected Costs) \$39,000,000
 TOTAL \$63,206,000

NEW SECTION. Sec. 3189. FOR THE DEPARTMENT OF NATURAL RESOURCES

Storm Damage (07-1-850)

Reappropriation:

State Building Construction Account--State	\$282,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$282,000

NEW SECTION. Sec. 3190. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Forest Riparian Easement Program (08-2-022)

Appropriation:

State Building Construction Account--State	\$8,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$32,000,000
TOTAL	\$40,000,000

NEW SECTION. Sec. 3191. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Land Acquisition Grants (05-2-021)

Reappropriation:

General Fund--Federal	\$3,247,000
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Appropriation:

General Fund--Federal	\$26,000,000
Prior Biennia (Expenditures)	\$43,271,000
Future Biennia (Projected Costs)	\$113,363,000
TOTAL	\$185,881,000

NEW SECTION. Sec. 3192. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Marine Station Public Access (04-2-019)

Reappropriation:

Aquatic Lands Enhancement Account--State	\$72,000
Prior Biennia (Expenditures)	\$236,000
Future Biennia (Projected Costs)	\$2,145,000
TOTAL	\$2,453,000

NEW SECTION. Sec. 3193. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Minor Works - Preservation (08-1-007)

Appropriation:

Forest Development Account--State	\$413,000
Resources Management Cost Account--State	\$430,000
State Building Construction Account--State	\$607,000
Subtotal Appropriation	\$1,450,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$4,154,000
TOTAL	\$5,604,000

NEW SECTION. Sec. 3194. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Minor Works - Programmatic (08-2-016)

Appropriation:

Forest Development Account--State	\$534,000
Resources Management Cost Account--State	\$556,000
State Building Construction Account--State	\$85,000
Subtotal Appropriation	\$1,175,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,515,000
TOTAL	\$3,690,000

NEW SECTION. Sec. 3195. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Natural Areas Facilities Preservation and Access (08-1-014)

Appropriation:

State Building Construction Account--State	\$942,000
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Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$9,958,000
TOTAL	\$10,900,000

NEW SECTION. Sec. 3196. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Recreation Capital Renovations (08-2-006)

The appropriation in this section is subject to the following conditions and limitations: \$200,000 of the appropriation is provided solely for trail system signage.

Appropriation:

State Building Construction Account--State	\$1,065,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$15,278,000
TOTAL	\$16,343,000

NEW SECTION. Sec. 3197. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Right-of-Way Acquisition (08-2-020)

Appropriation:

Forest Development Account--State	\$250,000
Resources Management Cost Account--State	\$750,000
Subtotal Appropriation	\$1,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$4,000,000
TOTAL	\$5,000,000

NEW SECTION. Sec. 3198. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Riparian Open Space Program (08-2-001)

Appropriation:

State Building Construction Account--State	\$1,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$11,000,000
TOTAL	\$12,500,000

NEW SECTION. Sec. 3199. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Statewide Aquatic Restoration Projects (06-2-008)

Reappropriation:

State Building Construction Account--State	\$150,000
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Appropriation:

Aquatic Lands Enhancement Account--State	\$300,000
Prior Biennia (Expenditures)	\$500,000
Future Biennia (Projected Costs)	\$1,200,000
TOTAL	\$2,150,000

NEW SECTION. Sec. 3200. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Road Maintenance and Abandonment Projects (06-2-003)

Reappropriation:

State Building Construction Account--State	\$87,000
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Appropriation:

State Building Construction Account--State	\$700,000
Prior Biennia (Expenditures)	\$700,000
Future Biennia (Projected Costs)	\$500,000
TOTAL	\$1,987,000

NEW SECTION. Sec. 3201. FOR THE DEPARTMENT OF NATURAL RESOURCES
 State Lands Maintenance (08-1-019)

Appropriation:

Forest Development Account--State	\$250,000
Resources Management Cost Account--State	\$2,350,000
Subtotal Appropriation	\$2,600,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$10,400,000

TOTAL \$13,000,000

NEW SECTION. Sec. 3202. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Statewide Aquatic Restoration Projects (06-2-008)

Reappropriation:
 State Building Construction Account--State \$150,000
 Prior Biennia (Expenditures) \$465,000
 Future Biennia (Projected Costs) \$1,200,000
 TOTAL \$1,815,000

NEW SECTION. Sec. 3203. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Trust Land Transfer (08-2-005)

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

(1) The total appropriation is provided to the department solely to transfer from trust status, or enter into fifty year leases for, certain trust lands of statewide significance deemed appropriate for state park, fish and wildlife habitat, natural area preserve, natural resources conservation area, open space, or recreation purposes. The approved list of projects is identified in the LEAP capital document 2007-4, developed March 20, 2007.

(2) Property transferred under this section shall be appraised and transferred at fair market value. The value of the timber transferred shall 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 shall be made for the resource management cost account under RCW 79.64.040. The value of the land transferred shall be deposited in the natural resources real property replacement account. These funds shall be expended by the department for the exclusive purpose of acquiring forest lands of equal value to be managed as common school trust land.

(3) Property subject to lease agreements under this section shall be appraised at fair market value. Lease payments shall be lump sum payments for the entire term of the lease at the beginning of the lease. The department shall calculate such lump sum payments using professional appraisal standards. These lease payments may not exceed the fee simple purchase price based on current fair market value and shall be deposited by the department to the common school construction account in the same manner as lease revenues from other common school trust lands. No deduction shall be made for the resource management cost account under RCW 79.64.040.

(4) All reasonable costs incurred by the department to implement this section are authorized to be paid out of the appropriations. Authorized costs include the actual cost of appraisals, staff time, environmental reviews, surveys, and other similar costs.

(5) 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) On June 30, 2009, the state treasurer shall transfer all remaining uncommitted funds from this appropriation to the common school construction account and the appropriations in this section shall be reduced by an equivalent amount.

Appropriation:
 State Building Construction Account--State \$96,485,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$287,000,000
 TOTAL \$383,485,000

NEW SECTION. Sec. 3204. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Federal Habitat Conservation Program Land Acquisition Grants (06-2-950)

Reappropriation:
 General Fund--Federal \$705,000
 Prior Biennia (Expenditures) \$6,015,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$6,720,000

NEW SECTION. Sec. 3205. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Loomis Natural Resources Conservation Area Restoration (07-1-004)

Reappropriation:
 State Building Construction Account--State \$271,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0

TOTAL \$271,000

NEW SECTION. Sec. 3206. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Deep Water Geoduck/Sea Cucumber Population Surveys (06-2-850)

Reappropriation:
 State Building Construction Account--State \$491,000
 Prior Biennia (Expenditures) \$159,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$650,000

NEW SECTION. Sec. 3207. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Riparian Open Space Program (06-2-018)

Reappropriation:
 State Building Construction Account--State \$700,000
 Prior Biennia (Expenditures) \$800,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,500,000

NEW SECTION. Sec. 3208. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Port Angeles Armory (08-1-851)

Appropriation:
 Forest Development Account--State \$135,000
 Resource Management Cost Account--State \$151,000
 State Building Construction Account--State \$157,000
 Subtotal Appropriation \$443,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$443,000

NEW SECTION. Sec. 3209. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Colville Armory (08-2-851)

Appropriation:
 Forest Development Account--State \$313,000
 Resource Management Cost Account--State \$330,000
 State Building Construction Account--State \$299,000
 Subtotal Appropriation \$942,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$942,000

NEW SECTION. Sec. 3210. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Combined State Agency Aviation Facility (08-1-952)

Appropriation:
 Forest Development Account--State \$87,000
 Resource Management Cost Account--State \$94,000
 State Building Construction Account--State \$211,000
 Subtotal Appropriation \$392,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$3,783,000
 TOTAL \$4,175,000

NEW SECTION. Sec. 3211. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Blanchard Mountain (08-1-951)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for acquisition of working forest lands as an initial purchase in support of an approved plan to preserve the core of Blanchard mountain in Skagit county. The department shall consult with the University of Washington college of forestry resources' northwest environmental forum and with other interest groups prior to the purchase. The department shall coordinate purchases funded under this section with purchases funded under section 3213 of this act to block up and preserve working forest lands at risk of conversion in Skagit county.

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. 3212. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Marine Station (08-1-015)

Appropriation:

Resource Management Cost Account--State	\$750,000
State Building Construction Account--State	\$750,000
Subtotal Appropriation	\$1,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,500,000

NEW SECTION. Sec. 3213. FOR THE DEPARTMENT OF NATURAL RESOURCES
 Conversion Land Acquisition (08-1-950)

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for acquisition of working forest lands at risk of conversion to nonforest uses. The legislature finds that the chronic loss of working forest lands threatens the long-term prospects of the timber products industry, which in turn threatens the long-term economic return for the beneficiaries of state trust lands. Acquisition of these conversion lands is intended to help stabilize the primary source of revenue to trust land beneficiaries. The department shall submit a report to the appropriate committees of the legislature by October 1, 2008, indicating the lands purchased under this section, showing the locations, acres, purchase price, and within that purchase price, the value of the property attributed to the future value of timber harvests given an expected rate of return for timber lands, and the value of the property attributed to future development of the property. It is the intention of the legislature to lease the development rights of these conversion lands and retain them as long-term working forest lands under the sustainable harvest plan. Working forest lands acquired under this section shall be managed at a level equal to or greater than seventy-five percent of the expected harvest under the sustainable harvest plan. The appropriation provided in this section shall lapse unless chapter . . . (Substitute House Bill No. 2382 (An act relating to leasing state lands and development rights on state lands to public agencies), Laws of 2007, or similar provisions contained in other legislation, is enacted prior to June 30, 2007.

Appropriation:

Resource Management Cost Account--State	\$40,000,000
Natural Resources Real Property Replacement Account--State	\$20,000,000
Subtotal Appropriation	\$60,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$60,000,000

NEW SECTION. Sec. 3214. FOR THE DEPARTMENT OF AGRICULTURE
 Fair Improvements (06-4-850)

The appropriation in this section is subject to the following conditions and limitations: \$850,000 is provided solely for renovations and repairs to the historic pavilion at the Walla Walla fairgrounds.

Appropriation:

State Building Construction Account--State	\$1,250,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,250,000

NEW SECTION. Sec. 3215. FOR THE DEPARTMENT OF AGRICULTURE
 Energy Freedom Program (06-2-851)

The reappropriation in this section is subject to the following conditions and limitations: If chapter . . . (House Bill No. 1303/Senate Bill No. 5586 (cleaner energy)), Laws of 2007 is enacted, then the amounts in this section are appropriated to the department of community, trade, and economic development.

Reappropriation:

Energy Freedom Account--State	\$8,529,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,529,000

NEW SECTION. Sec. 3216. FOR THE DEPARTMENT OF AGRICULTURE
 Energy Freedom Program (E3SHB No. 2939) (06-2-850)

The reappropriation in this section is subject to the following conditions and limitations: If chapter . . . (House Bill No. 1303/Senate Bill No. 5586 (cleaner energy)), Laws of 2007 is enacted, then the amounts in this section are appropriated to the department of community, trade, and economic development.

Reappropriation:

Energy Freedom Account--State	\$5,971,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,971,000

**PART 4
TRANSPORTATION**

NEW SECTION. Sec. 4001. FOR THE WASHINGTON STATE PATROL
Fire Training Academy Sanitary System (08-2-002)

Appropriation:

Fire Service Training Account--State	\$3,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,500,000

NEW SECTION. Sec. 4002. FOR THE WASHINGTON STATE PATROL
Minor Works - Preservation (08-1-001)

Appropriation:

State Building Construction Account--State	\$480,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,000,000
TOTAL	\$2,480,000

NEW SECTION. Sec. 4003. FOR THE WASHINGTON STATE PATROL
Replace Existing Dormitory (08-2-003)

The appropriation in this section is subject to the following conditions and limitations: The state building construction account appropriation is provided solely for one-half of the construction cost for replacement of the student dormitory at the fire training academy and is contingent upon the remaining construction cost being funded with a certificate of participation that is repaid with revenues from fees charged by the fire training academy. Any expenditures from this appropriation must be matched by an equal expenditure from the certificate of participation.

Appropriation:

State Building Construction Account--State	\$1,360,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,360,000

NEW SECTION. Sec. 4004. FOR THE WASHINGTON STATE PATROL
Combined State Agency Aviation Facility (08-2-951)

Appropriation:

State Building Construction Account--State	\$67,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$813,000
TOTAL	\$880,000

NEW SECTION. Sec. 4005. FOR THE DEPARTMENT OF TRANSPORTATION
Columbia River Dredging (03-H-001)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation in this section is provided solely to fund the second phase of a multiphase cooperative project with the state of Oregon to dredge the Columbia river. The amount in this section lapses unless the state of Oregon appropriates a dollar-for-dollar match to fund its share of the project.

Reappropriation:

State Building Construction Account--State	\$2,980,000
Prior Biennia (Expenditures)	\$14,720,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$17,700,000

**PART 5
EDUCATION**

NEW SECTION. Sec. 5001. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
2001-2003 School Construction Assistance Grant Program (02-4-001)

Reappropriation:

Common School Construction Account--State	\$3,850,000
Prior Biennia (Expenditures)	\$8,150,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$12,000,000

NEW SECTION. Sec. 5002. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
2003-2005 School Construction Assistance Grant Program (04-4-001)

Reappropriation:

State Building Construction Account--State	\$11,961,000
Common School Construction Account--State	\$10,682,000
Subtotal Reappropriation	\$22,643,000
Prior Biennia (Expenditures)	\$171,568,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$194,211,000

NEW SECTION. Sec. 5003. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
2005-2007 Apple Achievement Awards (06-4-850)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the provisions of section 196, chapter 371, Laws of 2006.

Reappropriation:

Education Construction Account--State	\$302,000
Prior Biennia (Expenditures)	\$198,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 5004. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
2005-2007 High Performance School Building Grants (06-4-852)

The reappropriation in this section is subject to the following conditions and limitations: Additional funding will be provided to school districts constructing public schools to recognized standards for high performance public buildings for a transition period of three years. The districts building high performance public schools will be granted funding per school project for capital-related costs associated with the design and construction of public K-12 schools that meet or exceed comprehensive design, construction, and operating standards for high performance and sustainable school buildings. No more than \$250,000 will be allotted for each elementary school built to high performance standards, no more than \$350,000 will be allotted for each middle school built to high performance standards, and no more than \$500,000 will be allotted to each high school built to high performance standards. These levels may be modified, in a limited manner, if specific project conditions warrant and as determined by the office of the superintendent of public instruction.

Reappropriation:

State Building Construction Account--State	\$6,078,000
Prior Biennia (Expenditures)	\$25,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,103,000

NEW SECTION. Sec. 5005. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
2005-2007 School Construction Assistance Grant Program (06-4-100)

Reappropriation:

State Building Construction Account--State	\$117,539,000
Common School Construction Account--State	\$218,896,000
Subtotal Reappropriation	\$336,435,000
Prior Biennia (Expenditures)	\$305,331,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$641,766,000

NEW SECTION. Sec. 5006. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION
Capital Project Administration (08-4-100)

Appropriation:

Common School Construction Account--State	\$2,528,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$12,049,000
TOTAL	\$14,577,000

NEW SECTION. Sec. 5007. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

School Construction Assistance Grants (08-4-200)

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

(1) For state assistance grants for purposes of calculating square foot eligibility, kindergarten student headcount shall not be reduced by fifty percent.

(2) The legislature has made a commitment to phase in all-day kindergarten programs beginning with the 2007-08 school year. However, the legislature finds that one potential barrier to successful expansion of all-day kindergarten programs may be a lack of facilities that meet the requirements of an all-day kindergarten program. The office of the superintendent of public instruction, in consultation with the school facilities citizen advisory panel, shall examine alternatives for addressing school facilities needs for all-day kindergarten programs, including adapting existing unused space, creating innovative public-private partnerships and partnerships with early learning providers, shifting the location of current programs within a district or a school, and temporary, limited use of portables. The office of the superintendent of public instruction shall submit a report to the capital budget committee of the house of representatives and the ways and means committee of the senate by September 1, 2007, with recommendations on preferred alternatives and an analysis of the feasibility and cost of implementing the alternatives.

Appropriation:

State Building Construction Account--State	\$113,195,000
Common School Construction Account--State	\$768,888,000
Subtotal Appropriation	\$882,083,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$3,500,725,000
TOTAL	\$4,382,808,000

NEW SECTION. Sec. 5008. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Small Repair Grants (08-4-402)

Appropriation:

State Building Construction Account--State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$12,000,000
TOTAL	\$15,000,000

NEW SECTION. Sec. 5009. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Vocational Skills Centers (08-4-300)

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

(1) \$9,362,000 from this appropriation is provided solely for minor capital projects at all of the state's skills centers ranked with a "severity score" of 40 points or more.

(2) \$24,400,000 from this appropriation is provided solely for the design and construction of the Skagit Valley vocational skills center.

(3) \$16,366,000 from this appropriation is provided solely for the design and construction of the Yakima Valley technical skills center.

(4) \$23,161,000 from this appropriation is provided solely for the design and construction of the Sno-Isle skills center.

(5) \$1,118,000 from this appropriation is provided solely for the design and construction of the Clark county skills center.

(6) \$300,000 from this appropriation is provided solely for the completion of the new market skills center project and to address storm water issues.

Appropriation:

State Building Construction Account--State	\$74,707,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$83,984,000
TOTAL	\$158,691,000

NEW SECTION. Sec. 5010. FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

Island Wood Environmental Learning Center (08-4-406)

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. 5011. FOR THE STATE SCHOOL FOR THE BLIND

Campus Preservation (06-1-003)

Reappropriation:

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

NEW SECTION. Sec. 5012. FOR THE STATE SCHOOL FOR THE BLIND

Minor Works - Facility Preservation (08-1-005)

Appropriation:

State Building Construction Account--State	\$770,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$2,500,000
TOTAL	\$3,270,000

NEW SECTION. Sec. 5013. FOR THE STATE SCHOOL FOR THE BLIND

New Physical Education Center (08-2-001)

Appropriation:

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

NEW SECTION. Sec. 5014. FOR THE STATE SCHOOL FOR THE DEAF

Minor Works - Facility Preservation (08-1-001)

Appropriation:

State Building Construction Account--State	\$1,325,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$1,000,000
TOTAL	\$2,325,000

NEW SECTION. Sec. 5015. FOR THE STATE SCHOOL FOR THE DEAF

Vocational Education, Cafeteria, and Maintenance Support Building (08-2-002)

Appropriation:

State Building Construction Account--State	\$10,900,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,900,000

NEW SECTION. Sec. 5016. FOR THE UNIVERSITY OF WASHINGTON

UW Bothell/Cascadia Community College - State Route 522 Off Ramp (02-2-014)

Reappropriation:

Gardner-Evans Higher Education Construction Account--State	\$255,000
Prior Biennia (Expenditures)	\$1,495,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,750,000

NEW SECTION. Sec. 5017. FOR THE UNIVERSITY OF WASHINGTON

UW Tacoma Land Acquisition/Soils Remediation (01-2-029)

Reappropriation:

Education Construction Account--State	\$50,000
Prior Biennia (Expenditures)	\$5,900,000
Future Biennia (Projected Costs)	\$20,000,000
TOTAL	\$25,950,000

NEW SECTION. Sec. 5018. FOR THE UNIVERSITY OF WASHINGTON

Facility Preservation Backlog Reduction (04-1-951)

Reappropriation:

State Building Construction Account--State	\$4,100,000
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Prior Biennia (Expenditures)	\$21,214,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,314,000

NEW SECTION. Sec. 5019. FOR THE UNIVERSITY OF WASHINGTON
 UW Emergency Power Expansion - Phase II (04-1-024)

Reappropriation:

University of Washington Building Account--State	\$1,500,000
Prior Biennia (Expenditures)	\$5,148,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,648,000

NEW SECTION. Sec. 5020. FOR THE UNIVERSITY OF WASHINGTON
 Classroom Improvements (05-1-850)

Reappropriation:

Gardner-Evans Higher Education Construction Account--State	\$150,000
Prior Biennia (Expenditures)	\$3,850,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,000,000

NEW SECTION. Sec. 5021. FOR THE UNIVERSITY OF WASHINGTON
 Infectious Disease Laboratory Facilities (05-2-850)

Reappropriation:

Gardner-Evans Higher Education Construction Account--State	\$4,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,000,000

NEW SECTION. Sec. 5022. FOR THE UNIVERSITY OF WASHINGTON
 Playhouse Theater (05-1-004)

Appropriation:

State Building Construction Account--State	\$6,578,000
Prior Biennia (Expenditures)	\$1,000,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,578,000

NEW SECTION. Sec. 5023. FOR THE UNIVERSITY OF WASHINGTON
 Architecture Hall Renovation (06-1-008)

Reappropriation:

State Building Construction Account--State	\$3,000,000
Prior Biennia (Expenditures)	\$20,324,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$23,324,000

NEW SECTION. Sec. 5024. FOR THE UNIVERSITY OF WASHINGTON
 Clark Hall Renovation (06-1-007)

Reappropriation:

State Building Construction Account--State	\$1,200,000
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Appropriation:

State Building Construction Account--State	\$554,000
Education Construction Account--State	\$15,000,000
Subtotal Appropriation	\$15,554,000
Prior Biennia (Expenditures)	\$1,300,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$18,054,000

NEW SECTION. Sec. 5025. FOR THE UNIVERSITY OF WASHINGTON
 Cleanup More Hall and Other Toxics (06-1-950)

Reappropriation:

State Toxics Control Account--State	\$1,125,000
Prior Biennia (Expenditures)	\$3,375,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,500,000

NEW SECTION. Sec. 5026. FOR THE UNIVERSITY OF WASHINGTON
 Guggenheim Hall Renovation (06-1-006)

Reappropriation:

State Building Construction Account--State	\$3,000,000
Education Construction Account--State	\$4,000,000
Subtotal Reappropriation	\$7,000,000
Prior Biennia (Expenditures)	\$19,312,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$26,312,000

NEW SECTION. Sec. 5027. FOR THE UNIVERSITY OF WASHINGTON
 Health Sciences - H Wing (06-1-001)

Reappropriation:

State Building Construction Account--State	\$5,000,000
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Appropriation:

State Building Construction Account--State	\$7,000,000
University of Washington Building Account--State	\$3,000,000
Subtotal Appropriation	\$10,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$15,000,000

NEW SECTION. Sec. 5028. FOR THE UNIVERSITY OF WASHINGTON
 Minor Works - Facility Preservation (06-1-002)

Reappropriation:

University of Washington Building Account--State	\$9,000,000
Prior Biennia (Expenditures)	\$12,200,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$21,200,000

NEW SECTION. Sec. 5029. FOR THE UNIVERSITY OF WASHINGTON
 Minor Works - Health, Safety, and Code Requirements (06-1-003)

Reappropriation:

University of Washington Building Account--State	\$5,000,000
Prior Biennia (Expenditures)	\$6,000,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,000,000

NEW SECTION. Sec. 5030. FOR THE UNIVERSITY OF WASHINGTON
 Minor Works - Infrastructure Preservation (06-1-004)

Reappropriation:

University of Washington Building Account--State	\$2,500,000
Prior Biennia (Expenditures)	\$2,500,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,000,000

NEW SECTION. Sec. 5031. FOR THE UNIVERSITY OF WASHINGTON
 Minor Works - Program (06-2-009)

Reappropriation:

University of Washington Building Account--State	\$3,000,000
Prior Biennia (Expenditures)	\$1,700,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,700,000

NEW SECTION. Sec. 5032. FOR THE UNIVERSITY OF WASHINGTON
 Savery Hall Renovation (06-1-005)

Reappropriation:		
State Building Construction Account--State	.....	\$3,000,000
Appropriation:		
Gardner-Evans Higher Education Construction		
Account--State	.....	\$54,910,000
Prior Biennia (Expenditures)	.....	\$3,600,000
Future Biennia (Projected Costs)	.....	\$0
TOTAL	.....	\$61,510,000

NEW SECTION. Sec. 5033. FOR THE UNIVERSITY OF WASHINGTON
 UW Tacoma - Assembly Hall (06-2-007)

Reappropriation:		
State Building Construction Account--State	.....	\$7,000,000
Prior Biennia (Expenditures)	.....	\$500,000
Future Biennia (Projected Costs)	.....	\$0
TOTAL	.....	\$7,500,000

NEW SECTION. Sec. 5034. FOR THE UNIVERSITY OF WASHINGTON
 UW Tacoma Land Acquisition (06-2-852)

Reappropriation:		
Gardner-Evans Higher Education Construction		
Account--State	.....	\$750,000
Prior Biennia (Expenditures)	.....	\$3,250,000
Future Biennia (Projected Costs)	.....	\$0
TOTAL	.....	\$4,000,000

NEW SECTION. Sec. 5035. FOR THE UNIVERSITY OF WASHINGTON
 Balmer Hall Reconstruction (08-1-004)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for predesign and design of the reconstruction/replacement of Balmer hall. The office of financial management shall not allot funding for the design until after sine die adjournment of the 2008 regular legislative session and only if the predesign has been submitted to the legislative fiscal committees and to the office of financial management for review and approval under RCW 43.88.110(6) prior to the start of the 2008 regular legislative session.

Appropriation:		
State Building Construction Account--State	.....	\$4,000,000
Prior Biennia (Expenditures)	.....	\$0
Future Biennia (Projected Costs)	.....	\$42,800,000
TOTAL	.....	\$46,800,000

NEW SECTION. Sec. 5036. FOR THE UNIVERSITY OF WASHINGTON
 Denny Hall Renovation (08-1-002)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for predesign and design of the renovation of Denny hall. The office of financial management shall not allot funding for the design until after sine die adjournment of the 2008 regular legislative session and only if the predesign has been submitted to the legislative fiscal committees and to the office of financial management for review and approval under RCW 43.88.110(6) prior to the start of the 2008 regular legislative session.

Appropriation:		
State Building Construction Account--State	.....	\$4,000,000
Prior Biennia (Expenditures)	.....	\$0
Future Biennia (Projected Costs)	.....	\$52,915,000
TOTAL	.....	\$56,915,000

NEW SECTION. Sec. 5037. FOR THE UNIVERSITY OF WASHINGTON
 Interdisciplinary Academic Building (08-2-003)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for predesign and design of the interdisciplinary academic building. The office of financial management shall not allot funding for the design until after sine die adjournment of the 2008 regular legislative session and only if the predesign has been submitted to the legislative fiscal committees and to the office of financial management for review and approval under RCW 43.88.110(6) prior to the start of the 2008 regular legislative session.

Appropriation:

State Building Construction Account--State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$57,500,000
TOTAL	\$62,500,000

NEW SECTION. Sec. 5038. FOR THE UNIVERSITY OF WASHINGTON

Intermediate Student Service and Classroom Improvements (08-1-005)

Appropriation:

State Building Construction Account--State	\$13,281,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$13,281,000

NEW SECTION. Sec. 5039. FOR THE UNIVERSITY OF WASHINGTON

Lewis Hall Renovation (08-1-003)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for predesign and design of the renovation of Lewis hall. The office of financial management shall not allot funding for the design until after sine die adjournment of the 2008 regular legislative session and only if the predesign has been submitted to the legislative fiscal committees and to the office of financial management for review and approval under RCW 43.88.110(6) prior to the start of the 2008 regular legislative session.

Appropriation:

State Building Construction Account--State	\$2,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$16,501,000
TOTAL	\$18,501,000

NEW SECTION. Sec. 5040. FOR THE UNIVERSITY OF WASHINGTON

Minor Works - Facility Preservation (08-1-001)

Appropriation:

University of Washington Building Account--State	\$23,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$140,000,000
TOTAL	\$163,000,000

NEW SECTION. Sec. 5041. FOR THE UNIVERSITY OF WASHINGTON

Minor Works - Program (08-2-001)

Appropriation:

University of Washington Building Account--State	\$5,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$32,610,000
TOTAL	\$37,610,000

NEW SECTION. Sec. 5042. FOR THE UNIVERSITY OF WASHINGTON

Infrastructure Savings (08-1-151)

The appropriations in this section are subject to the following conditions and limitations: Projects that are completed in accordance with section 6003 of this act may have their remaining funds transferred to this appropriation for other preservation projects approved by the office of financial management.

Appropriation:

State Building Construction Account--State	\$1
Gardner-Evans Higher Education Construction	
Account--State	\$1
Subtotal Appropriation	\$2
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2

NEW SECTION. Sec. 5043. FOR THE UNIVERSITY OF WASHINGTON

Preventive Facility Maintenance and Building System Repairs (08-1-150)

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

(1) Pursuant to definitions and provisions in section 925, chapter 26, Laws of 2003 1st sp. sess., the appropriation is provided solely to maintain facilities housing educational and general programs and to maintain its major building systems and campus infrastructure. Building maintenance, mechanical adjustments, repairs, and minor works for the facility or its major building systems and campus infrastructure must extend the remaining useful life of the facility or keep it safe and functioning normally.

(2) With this appropriation, the intent is to improve the average condition of state facilities as compared to the baseline conditions documented in report 03-1 of the joint legislative audit and review committee. Preventive facility maintenance project funds must be allocated at local discretion to achieve the performance goal stated in this subsection (2), with particular attention given to buildings currently rated in superior to adequate condition so as to maximize useful life given both the passage of time and intensity with which the space is used.

(3) Section 6003 of this act does not apply to this appropriation.

(4) There is no intent to reappropriate amounts not expended by June 30, 2009.

Appropriation:

Education Construction Account--State	\$25,825,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,825,000

NEW SECTION. Sec. 5044. FOR THE UNIVERSITY OF WASHINGTON
 UW Bothell Phase 3 - Predesign (08-2-006)

Appropriation:

State Building Construction Account--State	\$150,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$62,850,000
TOTAL	\$63,000,000

NEW SECTION. Sec. 5045. FOR THE UNIVERSITY OF WASHINGTON
 UW Tacoma Phase 3 (08-2-005)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for predesign and design of UW Tacoma phase 3. The office of financial management shall not allot funding for the design until after sine die adjournment of the 2008 regular legislative session and only if the predesign has been submitted to the legislative fiscal committees and to the office of financial management for review and approval under RCW 43.88.110(6) prior to the start of the 2008 regular legislative session.

Appropriation:

State Building Construction Account--State	\$6,150,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$54,000,000
TOTAL	\$60,150,000

NEW SECTION. Sec. 5046. FOR THE UNIVERSITY OF WASHINGTON
 Computing and Communications Upgrades and Data Center (08-2-004)

Appropriation:

State Building Construction Account--State	\$25,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$22,000,000
TOTAL	\$47,000,000

NEW SECTION. Sec. 5047. FOR WASHINGTON STATE UNIVERSITY
 WSU Spokane Riverpoint - Academic Center Building (00-2-906)

Reappropriation:

Gardner-Evans Higher Education Construction Account--State	\$1,750,000
Prior Biennia (Expenditures)	\$32,100,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$33,850,000

NEW SECTION. Sec. 5048. FOR WASHINGTON STATE UNIVERSITY
 WSU Vancouver - Student Services Center (00-2-905)

Reappropriation:

State Building Construction Account--State	\$1,500,000
Prior Biennia (Expenditures)	\$13,126,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$14,626,000

NEW SECTION. Sec. 5049. FOR WASHINGTON STATE UNIVERSITY
 WSU Pullman - Biotechnology/Life Sciences 2 (04-2-085)

Reappropriation:	
Gardner-Evans Higher Education Construction Account--State	\$2,600,000
Appropriation:	
State Building Construction Account--State	\$9,022,000
Gardner-Evans Higher Education Construction Account--State	\$48,978,000
Subtotal Appropriation	\$58,000,000
Prior Biennia (Expenditures)	\$12,050,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$72,650,000

NEW SECTION. Sec. 5050. FOR WASHINGTON STATE UNIVERSITY
 WSU Spokane - Nursing Building at Riverpoint (04-2-941)

The reappropriation in this section is subject to the following conditions and limitations: Upon completion of construction of this facility at the Riverpoint campus in Spokane, the existing land and facilities housing the intercollegiate nursing center adjacent to Spokane Falls Community College shall be transferred to the state board for community and technical colleges for the use of community college district 17, community colleges of Spokane.

Reappropriation:	
State Building Construction Account--State	\$20,000,000
Prior Biennia (Expenditures)	\$14,600,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$34,600,000

NEW SECTION. Sec. 5051. FOR WASHINGTON STATE UNIVERSITY
 WSU Tri-Cities - Bioproducts Facility (04-2-940)

Reappropriation:	
State Taxable Building Construction Account--State	\$1,500,000
Prior Biennia (Expenditures)	\$23,250,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$24,750,000

NEW SECTION. Sec. 5052. FOR WASHINGTON STATE UNIVERSITY
 Campus Infrastructure (06-1-073)

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

NEW SECTION. Sec. 5053. FOR WASHINGTON STATE UNIVERSITY
 Minor Capital Improvements (06-2-002)

Reappropriation:	
Washington State University Building Account--State	\$1,100,000
Prior Biennia (Expenditures)	\$4,900,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,000,000

NEW SECTION. Sec. 5054. FOR WASHINGTON STATE UNIVERSITY
 Minor Works - Facility Preservation (06-1-001)

Reappropriation:	
State Building Construction Account--State	\$3,500,000
Washington State University Building Account--State	\$500,000
Subtotal Reappropriation	\$4,000,000
Prior Biennia (Expenditures)	\$26,500,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$30,500,000

NEW SECTION. Sec. 5055. FOR WASHINGTON STATE UNIVERSITY
 Minor Works - Health, Safety, and Code (06-1-002)

Reappropriation:

Washington State University Building Account--State	\$500,000
Prior Biennia (Expenditures)	\$1,500,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,000,000

NEW SECTION. Sec. 5056. FOR WASHINGTON STATE UNIVERSITY
Center for Precision Agriculture (06-2-850)

Reappropriation:

State Building Construction Account--State	\$800,000
Prior Biennia (Expenditures)	\$2,000,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,800,000

NEW SECTION. Sec. 5057. FOR WASHINGTON STATE UNIVERSITY
WSU Vancouver - Undergraduate Classroom Building (06-2-951)

Reappropriation:

State Building Construction Account--State	\$1,200,000
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Appropriation:

State Building Construction Account--State	\$24,350,000
Prior Biennia (Expenditures)	\$2,450,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$28,000,000

NEW SECTION. Sec. 5058. FOR WASHINGTON STATE UNIVERSITY
Intermediate Preservation Projects (08-1-702)

Appropriation:

State Building Construction Account--State	\$3,119,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$31,240,000
TOTAL	\$34,359,000

NEW SECTION. Sec. 5059. FOR WASHINGTON STATE UNIVERSITY
Library Road Infrastructure (08-1-703)

Appropriation:

State Building Construction Account--State	\$12,000,000
Washington State University Building Account--State	\$3,000,000
Subtotal Appropriation	\$15,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$15,000,000

NEW SECTION. Sec. 5060. FOR WASHINGTON STATE UNIVERSITY
Minor Works - Facility Preservation (08-1-001)

Appropriation:

State Building Construction Account--State	\$18,900,000
Washington State University Building Account--State	\$20,000,000
Subtotal Appropriation	\$38,900,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$155,900,000
TOTAL	\$194,800,000

NEW SECTION. Sec. 5061. FOR WASHINGTON STATE UNIVERSITY
Infrastructure Savings (08-1-151)

The appropriations in this section are subject to the following conditions and limitations: Projects that are completed in accordance with section 6003 of this act may have their remaining funds transferred to this appropriation for other preservation projects approved by the office of financial management.

Appropriation:

State Building Construction Account--State	\$1
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Gardner-Evans Higher Education Construction Account--State	\$1
Subtotal Appropriation	\$2
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2

NEW SECTION. Sec. 5062. FOR WASHINGTON STATE UNIVERSITY

Minor Works - Program (08-2-002)

Appropriation:

Washington State University Building Account--State	\$17,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$73,000,000
TOTAL	\$90,000,000

NEW SECTION. Sec. 5063. FOR WASHINGTON STATE UNIVERSITY

Preventive Facility Maintenance and Building System Repairs (08-1-150)

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

(1) Pursuant to definitions and provisions in section 925, chapter 26, Laws of 2003 1st sp. sess., the appropriation is provided solely to maintain facilities housing educational and general programs and to maintain its major building systems and campus infrastructure. Building maintenance, mechanical adjustments, repairs, and minor works for the facility or its major building systems and campus infrastructure must extend the remaining useful life of the facility or keep it safe and functioning normally.

(2) With this appropriation, the intent is to improve the average condition of state facilities as compared to the baseline conditions documented in report 03-1 of the joint legislative audit and review committee. Preventive facility maintenance project funds must be allocated at local discretion to achieve the performance goal stated in this subsection (2), with particular attention given to buildings currently rated in superior to adequate condition so as to maximize useful life given both the passage of time and intensity with which the space is used.

(3) Section 6003 of this act does not apply to this appropriation.

(4) There is no intent to reappropriate amounts not expended by June 30, 2009.

Appropriation:

Education Construction Account--State	\$10,115,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$10,115,000

NEW SECTION. Sec. 5064. FOR WASHINGTON STATE UNIVERSITY

University Wide Infrastructure (08-1-701)

Appropriation:

State Building Construction Account--State	\$8,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$72,500,000
TOTAL	\$80,500,000

NEW SECTION. Sec. 5065. FOR WASHINGTON STATE UNIVERSITY

Utilities Extension (08-1-100)

Appropriation:

Washington State University Building Account--State	\$11,536,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$11,536,000

NEW SECTION. Sec. 5066. FOR WASHINGTON STATE UNIVERSITY

WSU Vancouver: Applied Technology and Classroom Building (06-2-950)

Appropriation:

State Building Construction Account--State	\$4,770,000
Prior Biennia (Expenditures)	\$150,000
Future Biennia (Projected Costs)	\$35,300,000
TOTAL	\$40,220,000

NEW SECTION. Sec. 5067. FOR EASTERN WASHINGTON UNIVERSITY

Patterson Hall Remodel (06-2-002)

Reappropriation:

Gardner-Evans Higher Education Construction Account--State \$40,000

Appropriation:

State Building Construction Account--State \$2,000,000
 Prior Biennia (Expenditures) \$160,000
 Future Biennia (Projected Costs) \$28,000,000
 TOTAL \$30,200,000

NEW SECTION. Sec. 5068. FOR EASTERN WASHINGTON UNIVERSITY
 Infrastructure Savings (06-1-751)

Reappropriation:

Gardner-Evans Higher Education Construction Account--State \$800,000
 Prior Biennia (Expenditures) \$377,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,177,000

NEW SECTION. Sec. 5069. FOR EASTERN WASHINGTON UNIVERSITY
 Hargreaves Hall Renovation (06-1-701)

Reappropriation:

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

Appropriation:

State Building Construction Account--State \$10,821,000
 Prior Biennia (Expenditures) \$914,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$12,235,000

NEW SECTION. Sec. 5070. FOR EASTERN WASHINGTON UNIVERSITY
 Martin Williamson Hall Renovation (06-1-706)

Reappropriation:

Gardner-Evans Higher Education Construction Account--State \$40,000
 Prior Biennia (Expenditures) \$160,000
 Future Biennia (Projected Costs) \$26,000,000
 TOTAL \$26,200,000

NEW SECTION. Sec. 5071. FOR EASTERN WASHINGTON UNIVERSITY
 Minor Works - Facility Preservation (06-1-710)

Reappropriation:

State Building Construction Account--State \$3,000,000
 Prior Biennia (Expenditures) \$5,000,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$8,000,000

NEW SECTION. Sec. 5072. FOR EASTERN WASHINGTON UNIVERSITY
 Minor Works - Health Safety and Code Compliance (06-1-711)

Reappropriation:

State Building Construction Account--State \$2,500,000
 Prior Biennia (Expenditures) \$3,200,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$5,700,000

NEW SECTION. Sec. 5073. FOR EASTERN WASHINGTON UNIVERSITY
 Minor Works - Infrastructure Preservation (06-1-712)

Reappropriation:

State Building Construction Account--State \$2,500,000
 Prior Biennia (Expenditures) \$1,500,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$4,000,000

NEW SECTION. Sec. 5074. FOR EASTERN WASHINGTON UNIVERSITY
 Minor Works Program (06-2-006)

Reappropriation:

State Building Construction Account--State	\$3,500,000
Eastern Washington University Capital Projects Account--State	\$3,500,000
Subtotal Reappropriation	\$7,000,000

Prior Biennia (Expenditures)	\$8,600,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$15,600,000

NEW SECTION. Sec. 5075. FOR EASTERN WASHINGTON UNIVERSITY
 Minor Works - Facility Preservation (08-1-001)

Appropriation:

Eastern Washington University Capital Projects Account--State	\$3,500,000
State Building Construction Account--State	\$500,000
Subtotal Appropriation	\$4,000,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$24,000,000
TOTAL	\$28,000,000

NEW SECTION. Sec. 5076. FOR EASTERN WASHINGTON UNIVERSITY
 Minor Works - Health, Safety, and Code Requirements (08-1-002)

Appropriation:

State Building Construction Account--State	\$4,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$24,000,000
TOTAL	\$28,000,000

NEW SECTION. Sec. 5077. FOR EASTERN WASHINGTON UNIVERSITY
 Minor Works - Infrastructure Preservation (08-1-003)

Appropriation:

State Building Construction Account--State	\$4,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$22,000,000
TOTAL	\$26,000,000

NEW SECTION. Sec. 5078. FOR EASTERN WASHINGTON UNIVERSITY
 Minor Works - Program (08-2-001)

Appropriation:

State Building Construction Account--State	\$4,000,000
Eastern Washington University Capital Projects Account--State	\$7,000,000
Subtotal Appropriation	\$11,000,000

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$62,400,000
TOTAL	\$73,400,000

NEW SECTION. Sec. 5079. FOR EASTERN WASHINGTON UNIVERSITY
 Infrastructure Savings (08-1-151)

The appropriations in this section are subject to the following conditions and limitations: Projects that are completed in accordance with section 6003 of this act may have their remaining funds transferred to this appropriation for other preservation projects approved by the office of financial management.

Appropriation:

State Building Construction Account--State	\$1
Gardner-Evans Higher Education Construction Account--State	\$1
Subtotal Appropriation	\$2

Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2

NEW SECTION. Sec. 5080. FOR EASTERN WASHINGTON UNIVERSITY
 Preventive Facility Maintenance and Building System Repairs (08-1-150)

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

(1) Pursuant to definitions and provisions in section 925, chapter 26, Laws of 2003 1st sp. sess., the appropriation is provided solely to maintain facilities housing educational and general programs and to maintain its major building systems and campus infrastructure. Building maintenance, mechanical adjustments, repairs, and minor works for the facility or its major building systems and campus infrastructure must extend the remaining useful life of the facility or keep it safe and functioning normally.

(2) With this appropriation, the intent is to improve the average condition of state facilities as compared to the baseline conditions documented in report 03-1 of the joint legislative audit and review committee. Preventive facility maintenance project funds must be allocated at local discretion to achieve the performance goal stated in this subsection (2), with particular attention given to buildings currently rated in superior to adequate condition so as to maximize useful life given both the passage of time and intensity with which the space is used.

(3) Section 6003 of this act does not apply to this appropriation.

(4) There is no intent to reappropriate amounts not expended by June 30, 2009.

Appropriation:

Education Construction Account--State	\$2,217,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,217,000

NEW SECTION. Sec. 5081. FOR CENTRAL WASHINGTON UNIVERSITY
Dean Hall Renovation (06-1-004)

Reappropriation:

State Building Construction Account--State	\$924,000
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Appropriation:

State Building Construction Account--State	\$23,200,000
Prior Biennia (Expenditures)	\$1,276,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,400,000

NEW SECTION. Sec. 5082. FOR CENTRAL WASHINGTON UNIVERSITY
Minor Works - Facility Preservation (06-1-003)

Reappropriation:

Central Washington University Capital Projects Account--State	\$250,000
Prior Biennia (Expenditures)	\$1,808,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,058,000

NEW SECTION. Sec. 5083. FOR CENTRAL WASHINGTON UNIVERSITY
Minor Works - Infrastructure Preservation (06-1-002)

Reappropriation:

Central Washington University Capital Projects Account--State	\$27,000
Prior Biennia (Expenditures)	\$1,073,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,100,000

NEW SECTION. Sec. 5084. FOR CENTRAL WASHINGTON UNIVERSITY
Minor Works Program (06-2-005)

Reappropriation:

Central Washington University Capital Projects Account--State	\$669,000
Prior Biennia (Expenditures)	\$3,721,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,390,000

NEW SECTION. Sec. 5085. FOR CENTRAL WASHINGTON UNIVERSITY
Nicholson Pavilion Indoor Air/Asbestos (06-1-008)

Reappropriation:

State Building Construction Account--State	\$375,000
Prior Biennia (Expenditures)	\$3,725,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,100,000

NEW SECTION. Sec. 5086. FOR CENTRAL WASHINGTON UNIVERSITY
Combined Utilities (08-1-011)

Appropriation:

State Building Construction Account--State	\$6,800,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$15,000,000
TOTAL	\$21,800,000

NEW SECTION. Sec. 5087. FOR CENTRAL WASHINGTON UNIVERSITY
 Hogue Hall Renovation and Addition (08-2-003)

Appropriation:

Gardner-Evans Higher Education Construction Account--State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$35,000,000
TOTAL	\$38,000,000

NEW SECTION. Sec. 5088. FOR CENTRAL WASHINGTON UNIVERSITY
 Minor Works - Facility Preservation (08-1-001)

Appropriation:

State Building Construction Account--State	\$3,175,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$12,700,000
TOTAL	\$15,875,000

NEW SECTION. Sec. 5089. FOR CENTRAL WASHINGTON UNIVERSITY
 Minor Works - Health, Safety, and Code Requirements (08-1-009)

Appropriation:

State Building Construction Account--State	\$660,000
Central Washington University Capital Projects Account--State	\$2,675,000
Subtotal Appropriation	\$3,335,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$13,340,000
TOTAL	\$16,675,000

NEW SECTION. Sec. 5090. FOR CENTRAL WASHINGTON UNIVERSITY
 Minor Works - Infrastructure Preservation (08-1-010)

Appropriation:

State Building Construction Account--State	\$2,165,000
Central Washington University Capital Projects Account--State	\$1,125,000
Subtotal Appropriation	\$3,290,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$13,160,000
TOTAL	\$16,450,000

NEW SECTION. Sec. 5091. FOR CENTRAL WASHINGTON UNIVERSITY
 Minor Works - Program (08-2-002)

Appropriation:

State Building Construction Account--State	\$4,000,000
Central Washington University Capital Projects Account--State	\$3,800,000
Subtotal Appropriation	\$7,800,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$17,500,000
TOTAL	\$25,300,000

NEW SECTION. Sec. 5092. FOR CENTRAL WASHINGTON UNIVERSITY
 Infrastructure Savings (08-1-151)

The appropriations in this section are subject to the following conditions and limitations: Projects that are completed in accordance with section 6003 of this act may have their remaining funds transferred to this appropriation for other preservation projects approved by the office of financial management.

Appropriation:

State Building Construction Account--State	\$1
Gardner-Evans Higher Education Construction Account--State	\$1

Subtotal Appropriation	\$2
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2

NEW SECTION. Sec. 5093. FOR CENTRAL WASHINGTON UNIVERSITY
 Preventive Facility Maintenance and Building System Repairs (08-1-150)

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

(1) Pursuant to definitions and provisions in section 925, chapter 26, Laws of 2003 1st sp. sess., the appropriation is provided solely to maintain facilities housing educational and general programs and to maintain its major building systems and campus infrastructure. Building maintenance, mechanical adjustments, repairs, and minor works for the facility or its major building systems and campus infrastructure must extend the remaining useful life of the facility or keep it safe and functioning normally.

(2) With this appropriation, the intent is to improve the average condition of state facilities as compared to the baseline conditions documented in report 03-1 of the joint legislative audit and review committee. Preventive facility maintenance project funds must be allocated at local discretion to achieve the performance goal stated in this subsection (2), with particular attention given to buildings currently rated in superior to adequate condition so as to maximize useful life given both the passage of time and intensity with which the space is used.

(3) Section 6003 of this act does not apply to this appropriation.

(4) There is no intent to reappropriate amounts not expended by June 30, 2009.

Appropriation:

Education Construction Account--State	\$2,422,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,422,000

NEW SECTION. Sec. 5094. FOR THE EVERGREEN STATE COLLEGE
 Seminar Building Phase II - Construction (02-2-004)

Reappropriation:

The Evergreen State College Capital Projects Account--State	\$150,000
Prior Biennia (Expenditures)	\$47,350,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$47,500,000

NEW SECTION. Sec. 5095. FOR THE EVERGREEN STATE COLLEGE
 Daniel J. Evans Building - Modernization (04-2-006)

The reappropriation in this section is subject to the following conditions and limitations: Should updated bids related to this project exceed the reappropriation due to unexpected inflation in the cost of construction, the office of financial management may authorize a transfer or transfers of appropriations from the minor works -infrastructure preservation project in section 5103 of this act; from the minor works - preservation project in section 5105 of this act; or from the minor works - program project in section 5107 of this act. The appropriations transferred from one or more of these three minor works projects shall not exceed \$2,500,000 in total. Prior to approval of the transfer, The Evergreen State College shall report to the office of financial management, the house of representatives capital budget committee, and the senate committee on ways and means on alternatives examined to negotiate a reduction in the bid price pursuant to RCW 39.04.105, and on the specific minor works projects that would be deferred as a result of the transfer.

Reappropriation:

Gardner-Evans Higher Education Construction Account--State	\$20,250,000
Prior Biennia (Expenditures)	\$24,500,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$44,750,000

NEW SECTION. Sec. 5096. FOR THE EVERGREEN STATE COLLEGE
 Health, Safety, and Code Requirements (06-1-002)

Reappropriation:

The Evergreen State College Capital Projects Account--State	\$300,000
Prior Biennia (Expenditures)	\$1,700,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,000,000

NEW SECTION. Sec. 5097. FOR THE EVERGREEN STATE COLLEGE
 Infrastructure Preservation (06-1-004)

Reappropriation:

The Evergreen State College Capital Projects Account--State	\$175,000
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Prior Biennia (Expenditures)	\$825,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 5098. FOR THE EVERGREEN STATE COLLEGE
 Lab I First Floor Class/Laboratory Renovation (06-2-001)

Reappropriation:

State Building Construction Account--State	\$1,950,000
Prior Biennia (Expenditures)	\$1,150,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,100,000

NEW SECTION. Sec. 5099. FOR THE EVERGREEN STATE COLLEGE
 Minor Works - Facility Preservation (06-1-003)

Reappropriation:

The Evergreen State College Capital Projects Account--State	\$1,100,000
Prior Biennia (Expenditures)	\$2,900,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,000,000

NEW SECTION. Sec. 5100. FOR THE EVERGREEN STATE COLLEGE
 Minor Works Program (06-2-005)

Reappropriation:

The Evergreen State College Capital Projects Account--State	\$75,000
Prior Biennia (Expenditures)	\$425,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 5101. FOR THE EVERGREEN STATE COLLEGE
 College Activities Building Renovation (08-2-009)

Appropriation:

State Building Construction Account--State	\$4,900,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,900,000

NEW SECTION. Sec. 5102. FOR THE EVERGREEN STATE COLLEGE
 Longhouse Expansion (08-2-007)

Appropriation:

State Building Construction Account--State	\$1,700,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,700,000

NEW SECTION. Sec. 5103. FOR THE EVERGREEN STATE COLLEGE
 Minor Works - Infrastructure Preservation (08-1-004)

Appropriation:

State Building Construction Account--State	\$700,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$700,000

NEW SECTION. Sec. 5104. FOR THE EVERGREEN STATE COLLEGE
 Minor Works - Health, Safety, and Code Requirements (08-1-002)

Appropriation:

State Building Construction Account--State	\$3,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 5105. FOR THE EVERGREEN STATE COLLEGE
 Minor Works - Preservation (08-1-001)

Appropriation:

The Evergreen State College Capital Projects Account--State	\$5,300,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,300,000

NEW SECTION. Sec. 5106. FOR THE EVERGREEN STATE COLLEGE
 Infrastructure Savings (08-1-151)

The appropriations in this section are subject to the following conditions and limitations: Projects that are completed in accordance with section 6003 of this act may have their remaining funds transferred to this appropriation for other preservation projects approved by the office of financial management.

Appropriation:

State Building Construction Account--State	\$1
Gardner-Evans Higher Education Construction Account--State	\$1
Subtotal Appropriation	\$2
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2

NEW SECTION. Sec. 5107. FOR THE EVERGREEN STATE COLLEGE
 Minor Works - Program (08-2-003)

Appropriation:

State Building Construction Account--State	\$930,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$930,000

NEW SECTION. Sec. 5108. FOR THE EVERGREEN STATE COLLEGE
 Preventive Facility Maintenance and Building System Repairs (08-1-150)

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

- (1) Pursuant to definitions and provisions in section 925, chapter 26, Laws of 2003 1st sp. sess., the appropriation is provided solely to maintain facilities housing educational and general programs and to maintain its major building systems and campus infrastructure. Building maintenance, mechanical adjustments, repairs, and minor works for the facility or its major building systems and campus infrastructure must extend the remaining useful life of the facility or keep it safe and functioning normally.
- (2) With this appropriation, the intent is to improve the average condition of state facilities as compared to the baseline conditions documented in report 03-1 of the joint legislative audit and review committee. Preventive facility maintenance project funds must be allocated at local discretion to achieve the performance goal stated in this subsection (2), with particular attention given to buildings currently rated inferior to adequate condition so as to maximize useful life given both the passage of time and intensity with which the space is used.
- (3) Section 6003 of this act does not apply to this appropriation.
- (4) There is no intent to reappropriate amounts not expended by June 30, 2009.

Appropriation:

Education Construction Account--State	\$760,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$760,000

NEW SECTION. Sec. 5109. FOR WESTERN WASHINGTON UNIVERSITY
 Academic Instructional Center (02-2-026)

Reappropriation:

Gardner-Evans Higher Education Construction Account--State	\$48,000,000
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Appropriation:

State Building Construction Account--State	\$5,895,000
Western Washington University Capital Projects Account--State	\$1,178,000
Subtotal Appropriation	\$7,073,000
Prior Biennia (Expenditures)	\$9,171,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$64,244,000

NEW SECTION. Sec. 5110. FOR WESTERN WASHINGTON UNIVERSITY

Miller Hall Renovation (04-1-953)

Appropriation:

State Building Construction Account--State	\$5,523,000
Prior Biennia (Expenditures)	\$250,000
Future Biennia (Projected Costs)	\$52,227,000
TOTAL	\$58,000,000

NEW SECTION. Sec. 5111. FOR WESTERN WASHINGTON UNIVERSITY
Minor Works - Facility Preservation (06-1-083)

Reappropriation:

State Building Construction Account--State	\$1,850,000
Prior Biennia (Expenditures)	\$2,440,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,290,000

NEW SECTION. Sec. 5112. FOR WESTERN WASHINGTON UNIVERSITY
Minor Works - Health, Safety, and Code (06-1-082)

Reappropriation:

State Building Construction Account--State	\$850,000
Prior Biennia (Expenditures)	\$1,240,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,090,000

NEW SECTION. Sec. 5113. FOR WESTERN WASHINGTON UNIVERSITY
Minor Works - Infrastructure Preservation (06-1-084)

Reappropriation:

State Building Construction Account--State	\$850,000
Prior Biennia (Expenditures)	\$1,375,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,225,000

NEW SECTION. Sec. 5114. FOR WESTERN WASHINGTON UNIVERSITY
Minor Works - Program (06-2-085)

Reappropriation:

Western Washington University Capital Projects Account--State	\$2,200,000
Prior Biennia (Expenditures)	\$5,522,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,722,000

NEW SECTION. Sec. 5115. FOR WESTERN WASHINGTON UNIVERSITY
Academic Facilities Modernization Projects (08-2-099)

Appropriation:

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

NEW SECTION. Sec. 5116. FOR WESTERN WASHINGTON UNIVERSITY
Carver Academic Renovation (08-1-060)

Appropriation:

State Building Construction Account--State	\$400,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$51,587,000
TOTAL	\$51,987,000

NEW SECTION. Sec. 5117. FOR WESTERN WASHINGTON UNIVERSITY
Minor Works - Facility Preservation (08-1-091)

Appropriation:

State Building Construction Account--State	\$5,051,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$18,000,000
TOTAL	\$23,051,000

NEW SECTION. Sec. 5118. FOR WESTERN WASHINGTON UNIVERSITY
 Minor Works - Health, Safety, and Code Requirements (08-1-090)

Appropriation:

State Building Construction Account--State	\$2,933,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$12,000,000
TOTAL	\$14,933,000

NEW SECTION. Sec. 5119. FOR WESTERN WASHINGTON UNIVERSITY
 Minor Works - Infrastructure Preservation (08-1-092)

Appropriation:

State Building Construction Account--State	\$2,016,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$8,000,000
TOTAL	\$10,016,000

NEW SECTION. Sec. 5120. FOR WESTERN WASHINGTON UNIVERSITY
 Infrastructure Savings (08-1-151)

The appropriations in this section are subject to the following conditions and limitations: Projects that are completed in accordance with section 6003 of this act may have their remaining funds transferred to this appropriation for other preservation projects approved by the office of financial management.

Appropriation:

State Building Construction Account--State	\$1
Gardner-Evans Higher Education Construction Account--State	\$1
Subtotal Appropriation	\$2
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2

NEW SECTION. Sec. 5121. FOR WESTERN WASHINGTON UNIVERSITY
 Minor Works - Program (08-2-093)

Appropriation:

State Building Construction Account--State	\$3,000,000
Western Washington University Capital Projects Account--State	\$7,000,000
Subtotal Appropriation	\$10,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$40,000,000
TOTAL	\$50,000,000

NEW SECTION. Sec. 5122. FOR WESTERN WASHINGTON UNIVERSITY
 Preventive Facility Maintenance and Building System Repairs (08-1-150)

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

(1) Pursuant to definitions and provisions in section 925, chapter 26, Laws of 2003 1st sp. sess., the appropriation is provided solely to maintain facilities housing educational and general programs and to maintain its major building systems and campus infrastructure. Building maintenance, mechanical adjustments, repairs, and minor works for the facility or its major building systems and campus infrastructure must extend the remaining useful life of the facility or keep it safe and functioning normally.

(2) With this appropriation, the intent is to improve the average condition of state facilities as compared to the baseline conditions documented in report 03-1 of the joint legislative audit and review committee. Preventive facility maintenance project funds must be allocated at local discretion to achieve the performance goal stated in this subsection (2), with particular attention given to buildings currently rated in superior to adequate condition so as to maximize useful life given both the passage of time and intensity with which the space is used.

(3) Section 6003 of this act does not apply to this appropriation.

(4) There is no intent to reappropriate amounts not expended by June 30, 2009.

Appropriation:

Education Construction Account--State	\$3,614,000
Prior Biennia (Expenditures)	\$0

Future Biennia (Projected Costs) \$0
 TOTAL \$3,614,000

NEW SECTION. Sec. 5123. FOR THE WASHINGTON STATE HISTORICAL SOCIETY
 Pacific - Lewis and Clark Station Camp Park Project (02-S-001)

Reappropriation:
 State Building Construction Account--State \$666,000
 Prior Biennia (Expenditures) \$1,885,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$2,551,000

NEW SECTION. Sec. 5124. FOR THE WASHINGTON STATE HISTORICAL SOCIETY
 Lewis and Clark Trail Interpretive Infrastructure Grant (02-4-001)

Reappropriation:
 State Building Construction Account--State \$1,081,000
 Prior Biennia (Expenditures) \$646,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$1,727,000

NEW SECTION. Sec. 5125. FOR THE WASHINGTON STATE HISTORICAL SOCIETY
 Washington Heritage Projects (04-4-004)

Reappropriation:
 State Building Construction Account--State \$1,947,000
 Prior Biennia (Expenditures) \$2,053,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$4,000,000

NEW SECTION. Sec. 5126. FOR THE WASHINGTON STATE HISTORICAL SOCIETY
 Olympia - State Capital Museum: Building Preservation (06-1-003)

Reappropriation:
 State Building Construction Account--State \$17,000
 Prior Biennia (Expenditures) \$314,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$331,000

NEW SECTION. Sec. 5127. FOR THE WASHINGTON STATE HISTORICAL SOCIETY
 Statewide - Washington Heritage Project Grants (06-4-004)

The reappropriation in this section is subject to the following conditions and limitations: The reappropriation is subject to the project list in section 733, chapter 488, Laws of 2005.

Reappropriation:
 State Building Construction Account--State \$3,821,000
 Prior Biennia (Expenditures) \$843,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$4,664,000

NEW SECTION. Sec. 5128. FOR THE WASHINGTON STATE HISTORICAL SOCIETY
 Tacoma - State History Museum: Building Preservation (06-1-001)

Reappropriation:
 State Building Construction Account--State \$100,000
 Prior Biennia (Expenditures) \$381,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$481,000

NEW SECTION. Sec. 5129. FOR THE WASHINGTON STATE HISTORICAL SOCIETY
 Tacoma - Research Center: Building Preservation (06-1-002)

Reappropriation:
 State Building Construction Account--State \$100,000
 Prior Biennia (Expenditures) \$82,000

Future Biennia (Projected Costs) \$0
 TOTAL \$182,000

NEW SECTION. Sec. 5130. FOR THE WASHINGTON STATE HISTORICAL SOCIETY
 Tacoma Research Center Building Preservation (07-1-002)

Appropriation:
 State Building Construction Account--State \$200,000

 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$537,000
 TOTAL \$737,000

NEW SECTION. Sec. 5131. FOR THE WASHINGTON STATE HISTORICAL SOCIETY
 Tacoma State History Museum Building Preservation (07-1-001)

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

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

NEW SECTION. Sec. 5132. FOR THE WASHINGTON STATE HISTORICAL SOCIETY
 Washington Heritage Grants (07-4-004)

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:

Project	Recommended
Cascade land conservancy	\$202,000
Suquamish museum and arts center	\$1,000,000
Moses Lake museum and arts center	\$1,000,000
White River Valley museum	\$245,000
The Tulalip tribe	\$1,000,000
City of Mukilteo	\$490,000
Lewis county historical museum	\$43,000
Pacific county historical society	\$186,000
City of Gig Harbor	\$1,000,000
Bainbridge Island metro parks and recreation	\$70,000
Polson museum	\$171,000
Washington trust for historic preservation	\$83,000
Historic Seattle PDA	\$500,000
City of Tacoma	\$77,000
City of Des Moines	\$1,000,000
Fort Walla Walla museum	\$859,000
Foss waterway seaport	\$300,000
LaConner quilt museum	\$125,000
Cowlitz River Valley historical society	\$158,000
Western forest industries museum	\$158,000
San Juan historical society	\$25,000
Central Washington fair association	\$48,000
Urban league of metro Seattle	\$650,000
The center for wooden boats	\$235,000
Jefferson county historical society	\$200,000
Mansfield museum	\$10,000
Martin Luther King Ballet	\$50,000
The northwest railway museum	\$75,000
Northpoint cooperative preschool	\$40,000
Total	\$10,000,000

Appropriation:
 State Building Construction Account--State \$10,000,000

 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$40,000,000
 TOTAL \$50,000,000

NEW SECTION. Sec. 5133. FOR THE WASHINGTON STATE HISTORICAL SOCIETY
 Women's History Preservation Grants (07-4-950)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the preservation of documents that are important in revealing the role of women in the history of the region and the role Washington women played in the nation's history.

Appropriation:

State Building Construction Account--State	\$200,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$200,000

NEW SECTION. Sec. 5134. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY
 Building Management System (08-1-003)

Appropriation:

State Building Construction Account--State	\$196,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$196,000

NEW SECTION. Sec. 5135. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY
 Campbell House Long-Term Preservation (08-1-002)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely to repair the foundation, sandstone, mortar, brick, chimney, and roof of state-owned National Register property "Campbell house" and its carriage house.

Appropriation:

State Building Construction Account--State	\$402,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$293,000
TOTAL	\$695,000

NEW SECTION. Sec. 5136. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY
 Computer Catalog System (08-2-010)

Appropriation:

State Building Construction Account--State	\$63,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$63,000

NEW SECTION. Sec. 5137. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY
 Museum Preservation (08-1-001)

Appropriation:

State Building Construction Account--State	\$150,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$1,154,000
TOTAL	\$1,304,000

NEW SECTION. Sec. 5138. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY
 Security System and Technology Infrastructure (08-1-005)

Appropriation:

State Building Construction Account--State	\$408,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$408,000

NEW SECTION. Sec. 5139. FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY
 Storage and Exhibit Equipment for Collections (08-2-012)

Appropriation:

State Building Construction Account--State	\$42,000
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Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$114,000
TOTAL	\$156,000

NEW SECTION. Sec. 5140. COMMUNITY AND TECHNICAL COLLEGE SYSTEM FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Clark College: Clark Center at WSU Vancouver (00-2-680)

Reappropriation:

Gardner-Evans Higher Education Construction Account--State	\$150,000
Prior Biennia (Expenditures)	\$19,624,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$19,774,000

NEW SECTION. Sec. 5141. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Pierce College Puyallup: Phase III Expansion (00-2-676)

Reappropriation:

Gardner-Evans Higher Education Construction Account--State	\$1,000,000
Prior Biennia (Expenditures)	\$24,335,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$25,335,000

NEW SECTION. Sec. 5142. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Green River Community College: Science Building (01-2-688)

Reappropriation:

State Building Construction Account--State	\$4,000,000
Prior Biennia (Expenditures)	\$25,804,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$29,804,000

NEW SECTION. Sec. 5143. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Tacoma Community College: Science Building (01-2-687)

Reappropriation:

State Building Construction Account--State	\$10,500,000
Prior Biennia (Expenditures)	\$21,496,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$31,996,000

NEW SECTION. Sec. 5144. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Bates Technical College: Learning Resource Center/Vocational (02-2-684)

Reappropriation:

State Building Construction Account--State	\$1,300,000
Prior Biennia (Expenditures)	\$15,760,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$17,060,000

NEW SECTION. Sec. 5145. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Cascadia Community College/UW Bothell: Phase 2B Off Ramp (02-2-999)

Reappropriation:

Gardner-Evans Higher Education Construction Account--State	\$320,000
Prior Biennia (Expenditures)	\$1,430,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,750,000

NEW SECTION. Sec. 5146. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Edmonds Community College: Instructional Lab Building - Construction (02-2-685)

Reappropriation:

State Building Construction Account--State	\$8,000,000
Prior Biennia (Expenditures)	\$9,488,000

Future Biennia (Projected Costs) \$0
 TOTAL \$17,488,000

NEW SECTION. Sec. 5147. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Tacoma Community College: Information Technology Vocational Center (02-2-683)

Reappropriation:
 State Building Construction Account--State \$450,000
 Prior Biennia (Expenditures) \$15,280,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$15,730,000

NEW SECTION. Sec. 5148. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Walla Walla Community College: Basic Skills/Computer Lab (02-2-686)

Reappropriation:
 Gardner-Evans Higher Education Construction Account--State \$3,000,000
 Prior Biennia (Expenditures) \$4,178,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$7,178,000

NEW SECTION. Sec. 5149. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Bellevue Community College: Science and Technology (04-2-690)

Reappropriation:
 State Building Construction Account--State \$1,400,000
 Appropriation:
 State Building Construction Account--State \$31,332,000
 Prior Biennia (Expenditures) \$1,066,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$33,798,000

NEW SECTION. Sec. 5150. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Bellingham Technical College: Welding/Auto Collision Replacement (04-1-213)

Reappropriation:
 State Building Construction Account--State \$600,000
 Gardner-Evans Higher Education Construction Account--State \$2,600,000
 Subtotal Reappropriation \$3,200,000
 Prior Biennia (Expenditures) \$13,638,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$16,838,000

NEW SECTION. Sec. 5151. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Cascadia Community College: Center for Arts, Technology, and Communications (04-2-693)

Reappropriation:
 Gardner-Evans Higher Education Construction Account--State \$2,100,000
 Appropriation:
 Gardner-Evans Higher Education Construction Account--State \$32,636,000
 Prior Biennia (Expenditures) \$1,091,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$35,827,000

NEW SECTION. Sec. 5152. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Centralia Community College: Science Building (04-2-850)

Reappropriation:
 State Building Construction Account--State \$1,700,000
 Appropriation:
 Gardner-Evans Higher Education Construction Account--State \$28,716,000
 Prior Biennia (Expenditures) \$1,697,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$32,113,000

NEW SECTION. Sec. 5153. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Clark College: East County Satellite (04-1-689)

Reappropriation:
 Gardner-Evans Higher Education Construction Account--State \$2,000,000

Appropriation:
 Gardner-Evans Higher Education Construction Account--State \$27,184,000
 Prior Biennia (Expenditures) \$693,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$29,877,000

NEW SECTION. Sec. 5154. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Edmonds Community College: Renovation - Mountlake Terrace Hall (04-1-311)

Reappropriation:
 State Building Construction Account--State \$230,000
 Prior Biennia (Expenditures) \$8,596,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$8,826,000

NEW SECTION. Sec. 5155. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Everett Community College: Pilchuck/Glacier (04-1-205)

Reappropriation:
 State Building Construction Account--State \$130,000
 Prior Biennia (Expenditures) \$18,815,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$18,945,000

NEW SECTION. Sec. 5156. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Everett Community College: Replacement - Monte Cristo Hall (04-1-305)

Reappropriation:
 State Building Construction Account--State \$45,000
 Prior Biennia (Expenditures) \$7,307,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$7,352,000

NEW SECTION. Sec. 5157. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Everett Community College: University Center - North Puget Sound (04-2-692)

Reappropriation:
 State Building Construction Account--State \$1,900,000
 Gardner-Evans Higher Education Construction Account--State \$3,844,000
 Subtotal Reappropriation \$5,744,000

Appropriation:
 State Building Construction Account--State \$40,604,000
 Prior Biennia (Expenditures) \$5,590,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$51,938,000

NEW SECTION. Sec. 5158. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Facility Preservation Backlog Reduction (04-1-951)

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

- (1) Pursuant to definitions and provisions in section 925, chapter 26, Laws of 2003 1st sp. sess., the reappropriation is provided solely to accomplish preservation work that improves existing state facilities in the worst relative condition for housed programs and current building occupants.
- (2) With this reappropriation, the intent is to improve the average condition of state facilities as compared to the baseline conditions documented in report 03-1 of the joint legislative audit and review committee. Preservation backlog reduction project funds shall be prioritized at local discretion to achieve the above stated goal, with particular attention given to buildings currently rated in adequate to marginal condition.
- (3) This section is subject to the same allotment procedures as a minor works category.
- (4) Section 6003 of this act does not apply to this reappropriation.

Reappropriation:
 State Building Construction Account--State \$12,000,000
 Prior Biennia (Expenditures) \$52,298,000
 Future Biennia (Projected Costs) \$0

TOTAL \$64,298,000

NEW SECTION. Sec. 5159. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Grays Harbor College: Replacement - Instructional Building (04-1-204)

Reappropriation:

Gardner-Evans Higher Education Construction Account--State \$420,000
 Prior Biennia (Expenditures) \$20,314,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$20,734,000

NEW SECTION. Sec. 5160. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Grays Harbor College: Riverview Education Center (07-1-850)

Reappropriation:

State Building Construction Account--State \$498,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$498,000

NEW SECTION. Sec. 5161. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Green River Community College: Computer Technology Center (04-2-682)

Reappropriation:

State Building Construction Account--State \$580,000
 Prior Biennia (Expenditures) \$11,419,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$11,999,000

NEW SECTION. Sec. 5162. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Lake Washington Technical College: Redmond Land Acquisition (04-2-403)

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

- (1) The purpose of the reappropriation is to purchase property for expansion, storm water retention, and parking requirements.
- (2) State funds must be matched with nonstate resources of at least \$500,000.
- (3) Allotment of funds shall be in accordance with RCW 43.88.150.

Reappropriation:

Community/Technical College Capital Projects Account--State \$500,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$500,000

NEW SECTION. Sec. 5163. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Lake Washington Technical College: Renovation - East/West Buildings (04-1-312)

Reappropriation:

State Building Construction Account--State \$150,000
 Prior Biennia (Expenditures) \$4,271,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$4,421,000

NEW SECTION. Sec. 5164. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Lower Columbia College: Instructional Fine Arts Building (04-1-214)

Reappropriation:

State Building Construction Account--State \$300,000
 Gardner-Evans Higher Education Construction Account--State \$13,500,000
 Subtotal Reappropriation \$13,800,000
 Prior Biennia (Expenditures) \$10,861,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$24,661,000

NEW SECTION. Sec. 5165. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Minor Works - Program (Minor Improvements) (04-2-130)

Reappropriation:

State Building Construction Account--State \$730,000
 Community/Technical College Capital Projects Account--State \$1,400,000
 Subtotal Reappropriation \$2,130,000

Prior Biennia (Expenditures) \$12,850,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$14,980,000

NEW SECTION. Sec. 5166. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Olympic College: Science and Technology Building Replacement (04-1-202)

Reappropriation:
 State Building Construction Account--State \$2,000,000

Prior Biennia (Expenditures) \$11,998,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$13,998,000

NEW SECTION. Sec. 5167. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Peninsula College: Replacement Science and Technology Building (04-1-208)

Reappropriation:
 Gardner-Evans Higher Education Construction Account--State \$3,000,000

Prior Biennia (Expenditures) \$20,640,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$23,640,000

NEW SECTION. Sec. 5168. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Pierce College - Fort Steilacoom: Science and Technology (04-2-694)

Reappropriation:
 State Building Construction Account--State \$850,000

Appropriation:
 State Building Construction Account--State \$30,407,000

Prior Biennia (Expenditures) \$1,327,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$32,584,000

NEW SECTION. Sec. 5169. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Pierce College Fort Steilacoom: Childcare Center (04-2-401)

Reappropriation:
 Community/Technical College Capital Projects Account--State \$40,000

Prior Biennia (Expenditures) \$460,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$500,000

NEW SECTION. Sec. 5170. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Pierce College Puyallup: Communication Arts/Health Building (04-2-691)

Reappropriation:
 Gardner-Evans Higher Education Construction Account--State \$900,000

Appropriation:
 Gardner-Evans Higher Education Construction Account--State \$25,303,000

Prior Biennia (Expenditures) \$1,196,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$27,399,000

NEW SECTION. Sec. 5171. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Renton Technical College: Portable Replacement (04-1-215)

Reappropriation:
 State Building Construction Account--State \$1,000,000

Prior Biennia (Expenditures) \$2,396,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$3,396,000

NEW SECTION. Sec. 5172. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Roof Repairs "A" (04-1-010)

Reappropriation:

State Building Construction Account--State	\$640,000
Prior Biennia (Expenditures)	\$6,626,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$7,266,000

NEW SECTION. Sec. 5173. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Site Repairs "A" (04-1-090)

Reappropriation:

State Building Construction Account--State	\$300,000
Prior Biennia (Expenditures)	\$5,006,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,306,000

NEW SECTION. Sec. 5174. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Skagit Valley College: Science Building Replacement (04-1-209)

Reappropriation:

State Building Construction Account--State	\$1,500,000
Gardner-Evans Higher Education Construction Account--State	\$325,000
Subtotal Reappropriation	\$1,825,000

Appropriation:

State Building Construction Account--State	\$28,068,000
Prior Biennia (Expenditures)	\$1,217,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$31,110,000

NEW SECTION. Sec. 5175. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 South Puget Sound Community College: Science Complex (04-2-695)

Reappropriation:

Gardner-Evans Higher Education Construction Account--State	\$2,000,000
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Appropriation:

State Building Construction Account--State	\$25,867,000
Prior Biennia (Expenditures)	\$1,253,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$29,120,000

NEW SECTION. Sec. 5176. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 South Seattle Community College: Instructional Technology Center (04-2-681)

Reappropriation:

State Building Construction Account--State	\$150,000
Prior Biennia (Expenditures)	\$18,711,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$18,861,000

NEW SECTION. Sec. 5177. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Spokane Community College: Science Building Replacement (04-1-212)

Reappropriation:

State Building Construction Account--State	\$1,200,000
Prior Biennia (Expenditures)	\$14,521,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$15,721,000

NEW SECTION. Sec. 5178. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Tacoma Community College: Replacement - Portable Buildings (04-1-206)

Reappropriation:

State Building Construction Account--State	\$175,000
Prior Biennia (Expenditures)	\$2,447,000

Future Biennia (Projected Costs) \$0
 TOTAL \$2,622,000

NEW SECTION. Sec. 5179. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Tacoma Community College: Renovation - Building 7 (04-1-313)

Reappropriation:
 State Building Construction Account--State \$2,000,000
 Prior Biennia (Expenditures) \$2,988,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$4,988,000

NEW SECTION. Sec. 5180. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Walla Walla Community College: Health Science Facility (04-1-211)

Reappropriation:
 Community/Technical College Capital Projects Account--State \$500,000
 Prior Biennia (Expenditures) \$6,762,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$7,262,000

NEW SECTION. Sec. 5181. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Yakima Valley Community College: Glenn/Anthon Hall - Replacement (04-1-207)

Reappropriation:
 Gardner-Evans Higher Education Construction Account--State \$8,000,000
 Prior Biennia (Expenditures) \$20,645,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$28,645,000

NEW SECTION. Sec. 5182. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Columbia Basin College: Health Sciences Center (05-2-851)

Reappropriation:
 State Building Construction Account--State \$50,000
 Prior Biennia (Expenditures) \$7,950,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$8,000,000

NEW SECTION. Sec. 5183. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 South Seattle Community College: Training Facility (05-1-854)

Reappropriation:
 Gardner-Evans Higher Education Construction Account--State \$8,000,000
 Prior Biennia (Expenditures) \$1,752,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$9,752,000

NEW SECTION. Sec. 5184. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Spokane Falls: Business and Social Science Building (05-1-853)

Reappropriation:
 Gardner-Evans Higher Education Construction Account--State \$8,000,000
 Prior Biennia (Expenditures) \$12,312,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$20,312,000

NEW SECTION. Sec. 5185. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Wenatchee Valley College: Anderson Hall and Portable Replacement (05-1-852)

Reappropriation:
 Gardner-Evans Higher Education Construction Account--State \$7,000,000
 Prior Biennia (Expenditures) \$17,660,000
 Future Biennia (Projected Costs) \$0
 TOTAL \$24,660,000

NEW SECTION. Sec. 5186. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Big Bend Community College: Performing Arts and Fine Arts (06-1-309)

Reappropriation:

State Building Construction Account--State	\$3,300,000
Prior Biennia (Expenditures)	\$398,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,698,000

NEW SECTION. Sec. 5187. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Clark College: Gaiser Hall Renovation (06-1-302)

Reappropriation:

State Building Construction Account--State	\$3,000,000
Prior Biennia (Expenditures)	\$5,374,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,374,000

NEW SECTION. Sec. 5188. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Clark College: O'Connell Sports Center Improvements (06-2-403)

Reappropriation:

State Building Construction Account--State	\$480,000
Prior Biennia (Expenditures)	\$170,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$650,000

NEW SECTION. Sec. 5189. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Clover Park Technical College: Allied Health Care Facility (06-2-699)

Reappropriation:

State Building Construction Account--State	\$20,000
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Appropriation:

State Building Construction Account--State	\$2,285,000
Prior Biennia (Expenditures)	\$115,000
Future Biennia (Projected Costs)	\$24,340,000
TOTAL	\$26,760,000

NEW SECTION. Sec. 5190. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Clover Park Technical College: Personal Care Services Facility (06-1-310)

Reappropriation:

State Building Construction Account--State	\$5,900,000
Prior Biennia (Expenditures)	\$599,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$6,499,000

NEW SECTION. Sec. 5191. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Edmonds Community College: Brier Hall Renovation (06-1-307)

Reappropriation:

State Building Construction Account--State	\$4,700,000
Prior Biennia (Expenditures)	\$433,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,133,000

NEW SECTION. Sec. 5192. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Everett Community College: Paine Field Technical Center (06-2-408)

Reappropriation:

State Building Construction Account--State	\$980,000
Prior Biennia (Expenditures)	\$20,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 5193. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Facility Repairs (06-1-050)

Reappropriation:	
Community/Technical College Capital Projects Account--State	\$12,400,000
Prior Biennia (Expenditures)	\$9,927,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$22,327,000

NEW SECTION. Sec. 5194. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Grays Harbor College: Vocational Education Renovation (06-1-303)

Reappropriation:	
State Building Construction Account--State	\$4,710,000
Prior Biennia (Expenditures)	\$661,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,371,000

NEW SECTION. Sec. 5195. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Green River Community College: Humanities and Classroom Building (06-1-205)

Reappropriation:	
State Building Construction Account--State	\$40,000
Appropriation:	
State Building Construction Account--State	\$2,744,000
Prior Biennia (Expenditures)	\$97,000
Future Biennia (Projected Costs)	\$25,427,000
TOTAL	\$28,308,000

NEW SECTION. Sec. 5196. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Green River Community College: Physical Education Renovation (06-1-313)

Reappropriation:	
State Building Construction Account--State	\$477,000
Appropriation:	
State Building Construction Account--State	\$3,818,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,295,000

NEW SECTION. Sec. 5197. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Green River Community College: Water System Replacement (06-1-501)

Reappropriation:	
Gardner-Evans Higher Education Construction Account--State	\$1,951,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,951,000

NEW SECTION. Sec. 5198. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Green River Community College: Skills Support Center Addition (06-2-405)

Reappropriation:	
State Building Construction Account--State	\$640,000
Prior Biennia (Expenditures)	\$160,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$800,000

NEW SECTION. Sec. 5199. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Highline Community College: Marine Science and Technology (06-2-406)

Reappropriation:	
State Building Construction Account--State	\$490,000
Prior Biennia (Expenditures)	\$10,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$500,000

NEW SECTION. Sec. 5200. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Infrastructure Savings (06-1-751)

Reappropriation:

Gardner-Evans Higher Education Construction Account--State	\$2,600,000
Prior Biennia (Expenditures)	\$116,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,716,000

NEW SECTION. Sec. 5201. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Lake Washington Technical College: Allied Health Building (06-2-697)

Appropriation:

State Building Construction Account--State	\$1,732,000
Prior Biennia (Expenditures)	\$197,000
Future Biennia (Projected Costs)	\$26,085,000
TOTAL	\$28,014,000

NEW SECTION. Sec. 5203. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Lake Washington Technical College: Science Lab Renovation (06-1-308)

Reappropriation:

State Building Construction Account--State	\$290,000
Prior Biennia (Expenditures)	\$1,469,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,759,000

NEW SECTION. Sec. 5203. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Minor Works Preservation (RMI) (06-1-001)

Reappropriation:

Community/Technical College Capital Projects Account--State	\$6,300,000
Prior Biennia (Expenditures)	\$7,700,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$14,000,000

NEW SECTION. Sec. 5204. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Minor Works: Program (06-2-130)

Reappropriation:

State Building Construction Account--State	\$11,900,000
Prior Biennia (Expenditures)	\$8,363,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$20,263,000

NEW SECTION. Sec. 5205. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 North Seattle Community College: Employment Resource Center (06-2-851)

Reappropriation:

State Building Construction Account--State	\$325,000
Prior Biennia (Expenditures)	\$195,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$520,000

NEW SECTION. Sec. 5206. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 North Seattle Community College: Wellness Center Repairs (06-1-330)

Reappropriation:

State Building Construction Account--State	\$970,000
Prior Biennia (Expenditures)	\$2,030,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,000,000

NEW SECTION. Sec. 5207. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Olympic College: Humanities and Student Services (06-1-204)

Reappropriation:	
State Building Construction Account--State	\$2,500,000
Appropriation:	
State Building Construction Account--State	\$37,889,000
Prior Biennia (Expenditures)	\$999,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$41,388,000

NEW SECTION. Sec. 5208. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Olympic College: Bremer Student Center (06-2-411)

Reappropriation:	
State Building Construction Account--State	\$30,000
Prior Biennia (Expenditures)	\$570,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$600,000

NEW SECTION. Sec. 5209. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Peninsula College: Library Renovation (06-1-305)

Reappropriation:	
State Building Construction Account--State	\$11,000,000
Prior Biennia (Expenditures)	\$3,000,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$14,000,000

NEW SECTION. Sec. 5210. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Peninsula College: Phase II Cultural and Arts Center (06-2-412)

Reappropriation:	
State Building Construction Account--State	\$250,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$250,000

NEW SECTION. Sec. 5211. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Pierce College Fort Steilacoom: Cascade Core Phase I (06-1-326)

Reappropriation:	
State Building Construction Account--State	\$1,000,000
Appropriation:	
State Building Construction Account--State	\$14,602,000
Prior Biennia (Expenditures)	\$2,350,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$17,952,000

NEW SECTION. Sec. 5212. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Roof Repairs (06-1-010)

Reappropriation:	
Community/Technical College Capital Projects Account--State	\$3,900,000
Prior Biennia (Expenditures)	\$4,940,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,840,000

NEW SECTION. Sec. 5213. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Seattle Central Community College: Maritime Academy Repairs (06-1-502)

Reappropriation:	
Gardner-Evans Higher Education Construction Account--State	\$268,000
Appropriation:	
Gardner-Evans Higher Education Construction Account--State	\$1,688,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,956,000

NEW SECTION. Sec. 5214. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Seattle Central Community College: Greenhouse/Educational Center (06-2-410)

Reappropriation:

State Building Construction Account--State	\$240,000
Prior Biennia (Expenditures)	\$10,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$250,000

NEW SECTION. Sec. 5215. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Seattle Central Community College: Information Technology and Visual Communications (06-1-304)

Reappropriation:

State Building Construction Account--State	\$7,400,000
Prior Biennia (Expenditures)	\$696,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$8,096,000

NEW SECTION. Sec. 5216. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Shoreline Community College: Annex Renovation (06-1-312)

Reappropriation:

State Building Construction Account--State	\$840,000
Prior Biennia (Expenditures)	\$1,899,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,739,000

NEW SECTION. Sec. 5217. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Shoreline Community College: Automotive Building (Phase I) (06-2-951)

Reappropriation:

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

NEW SECTION. Sec. 5218. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Site Repairs (06-1-090)

Reappropriation:

Community/Technical College Capital Projects Account--State	\$2,300,000
Prior Biennia (Expenditures)	\$1,537,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$3,837,000

NEW SECTION. Sec. 5219. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Skagit Valley College: Campus Fire Loop Replacement (06-1-504)

Reappropriation:

Gardner-Evans Higher Education Construction Account--State	\$230,000
Prior Biennia (Expenditures)	\$1,404,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,634,000

NEW SECTION. Sec. 5220. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 South Puget Sound Community College: Learning Resource Center (06-2-698)

Appropriation:

State Building Construction Account--State	\$3,268,000
Prior Biennia (Expenditures)	\$197,000
Future Biennia (Projected Costs)	\$35,382,000
TOTAL	\$38,847,000

NEW SECTION. Sec. 5221. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 South Seattle Community College: Automotive Collision Technology (06-1-306)

Reappropriation:

State Building Construction Account--State	\$1,700,000
Prior Biennia (Expenditures)	\$272,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,972,000

NEW SECTION. Sec. 5222. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

South Seattle Community College: Horticulture/SCGS Classrooms (06-2-404)

Reappropriation:

State Building Construction Account--State	\$490,000
Prior Biennia (Expenditures)	\$67,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$557,000

NEW SECTION. Sec. 5223. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Spokane Falls Community College: Campus Classrooms (06-2-696)

Appropriation:

State Building Construction Account--State	\$1,802,000
Prior Biennia (Expenditures)	\$82,000
Future Biennia (Projected Costs)	\$18,686,000
TOTAL	\$20,570,000

NEW SECTION. Sec. 5224. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Walla Walla Community College: Center for Water and Environmental Studies (06-2-853)

Reappropriation:

State Building Construction Account--State	\$940,000
Prior Biennia (Expenditures)	\$1,060,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,000,000

NEW SECTION. Sec. 5225. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Walla Walla Community College: Clarkston Health Science Facility (06-2-402)

Reappropriation:

State Building Construction Account--State	\$490,000
Prior Biennia (Expenditures)	\$510,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 5226. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Wenatchee Valley College: Brown Library Renovation (06-1-311)

Reappropriation:

State Building Construction Account--State	\$760,000
Prior Biennia (Expenditures)	\$1,644,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,404,000

NEW SECTION. Sec. 5227. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Yakima Valley Community College: Center for Workforce Education (06-2-407)

Reappropriation:

State Building Construction Account--State	\$690,000
Prior Biennia (Expenditures)	\$310,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,000,000

NEW SECTION. Sec. 5228. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Yakima Valley Community College: Raymond Hall Renovation (06-1-325)

Reappropriation:

State Building Construction Account--State	\$3,800,000
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Prior Biennia (Expenditures)	\$369,000
Future Biennia (Projected Costs)	\$0
TOTAL	\$4,169,000

NEW SECTION. Sec. 5229. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Bates Technical College: Mohler Communications Technology Center (08-2-703)

Appropriation:

State Building Construction Account--State	\$173,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$22,567,000
TOTAL	\$22,740,000

NEW SECTION. Sec. 5230. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Bellevue Community College: Health Science Building (08-2-702)

Appropriation:

State Building Construction Account--State	\$144,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$38,893,000
TOTAL	\$39,037,000

NEW SECTION. Sec. 5231. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Bellingham Technical College: Instructional Resource Center (08-1-223)

Appropriation:

State Building Construction Account--State	\$1,824,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$28,065,000
TOTAL	\$29,889,000

NEW SECTION. Sec. 5232. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Centralia College: Health and Wellness Education Center (08-2-414)

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. 5233. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Clark College: Child and Family Studies Center (08-2-417)

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. 5234. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Clark College: Health and Advanced Technologies Building (08-2-705)

Appropriation:

State Building Construction Account--State	\$250,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$32,982,000
TOTAL	\$33,232,000

NEW SECTION. Sec. 5235. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Columbia Basin College: Business Education Building (08-1-315)

Appropriation:

State Building Construction Account--State	\$5,020,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,020,000

NEW SECTION. Sec. 5236. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Columbia Basin College: Social Science Center (08-2-704)

Appropriation:	
State Building Construction Account--State	\$111,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$12,299,000
TOTAL	\$12,410,000

NEW SECTION. Sec. 5237. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Columbia Basin College: Vocational Building (08-1-217)

Appropriation:	
State Building Construction Account--State	\$1,802,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$20,498,000
TOTAL	\$22,300,000

NEW SECTION. Sec. 5238. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Edmonds Community College: Primary Electrical Replacement (08-1-508)

Appropriation:	
State Building Construction Account--State	\$2,466,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2,466,000

NEW SECTION. Sec. 5239. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Edmonds Community College: Meadowdale Hall Renovation (08-1-318)

Appropriation:	
State Building Construction Account--State	\$9,256,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,256,000

NEW SECTION. Sec. 5240. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Everett Community College: Index Hall Replacement (08-1-221)

Appropriation:	
State Building Construction Account--State	\$2,800,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$41,005,000
TOTAL	\$43,805,000

NEW SECTION. Sec. 5241. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Grays Harbor College: Child Care Facility (08-2-416)

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. 5242. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Grays Harbor College: Science and Math Building (08-1-226)

Appropriation:	
State Building Construction Account--State	\$276,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$40,026,000
TOTAL	\$40,302,000

NEW SECTION. Sec. 5243. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
Green River Community College: Primary Electrical Replacement (08-1-506)

Appropriation:

State Building Construction Account--State	\$1,870,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,870,000

NEW SECTION. Sec. 5244. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Green River Community College: Trades and Industry Building (08-1-222)

Appropriation:

State Building Construction Account--State	\$138,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$29,833,000
TOTAL	\$29,971,000

NEW SECTION. Sec. 5245. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Lower Columbia College: Health and Science Building (08-1-225)

Appropriation:

State Building Construction Account--State	\$2,500,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$39,915,000
TOTAL	\$42,415,000

NEW SECTION. Sec. 5246. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Minor Works - Facility Preservation (08-1-050)

Appropriation:

Community/Technical College Capital Projects Account--State	\$21,243,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$80,000,000
TOTAL	\$101,243,000

NEW SECTION. Sec. 5247. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Minor Works - Facility Preservation - Roof Repairs (08-1-010)

Appropriation:

State Building Construction Account--State	\$6,676,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$24,000,000
TOTAL	\$30,676,000

NEW SECTION. Sec. 5248. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Minor Works - Infrastructure Preservation (08-1-090)

Appropriation:

Community/Technical College Capital Projects Account--State	\$2,082,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$16,000,000
TOTAL	\$18,082,000

NEW SECTION. Sec. 5249. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Minor Works - Preservation - Repairs and Minor Improvements (08-1-001)

Appropriation:

Community/Technical College Capital Projects Account--State	\$16,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$70,000,000
TOTAL	\$86,000,000

NEW SECTION. Sec. 5250. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Minor Works - Program (08-2-130)

Appropriation:

Community/Technical College Capital Projects Account--State	\$20,000,000
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Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$80,000,000
TOTAL	\$100,000,000

NEW SECTION. Sec. 5251. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Peninsula College: Business and Humanities Center (08-1-218)

Appropriation:

State Building Construction Account--State	\$2,300,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$33,938,000
TOTAL	\$36,238,000

NEW SECTION. Sec. 5252. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Pierce College Fort Steilacoom: Cascade Core Phase II (08-1-321)

Appropriation:

State Building Construction Account--State	\$2,242,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$22,353,000
TOTAL	\$24,595,000

NEW SECTION. Sec. 5253. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Infrastructure Savings (08-1-151)

The appropriations in this section are subject to the following conditions and limitations: Projects that are completed in accordance with section 6003 of this act may have their remaining funds transferred to this appropriation for other preservation projects approved by the office of financial management.

Appropriation:

State Building Construction Account--State	\$1
Gardner-Evans Higher Education Construction Account--State	\$1
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$2

NEW SECTION. Sec. 5254. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Preventive Facility Maintenance and Building System Repairs (08-1-150)

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

- (1) Pursuant to definitions and provisions in section 925, chapter 26, Laws of 2003 1st sp. sess., the appropriation is provided solely to maintain facilities housing educational and general programs and to maintain its major building systems and campus infrastructure. Building maintenance, mechanical adjustments, repairs, and minor works for the facility or its major building systems and campus infrastructure must extend the remaining useful life of the facility or keep it safe and functioning normally.
- (2) With this appropriation, the intent is to improve the average condition of state facilities as compared to the baseline conditions documented in report 03-1 of the joint legislative audit and review committee. Preventive facility maintenance project funds must be allocated at the state board's discretion to achieve the performance goal stated in this subsection (2), with particular attention given to buildings currently rated in superior to adequate condition so as to maximize useful life given both the passage of time and intensity with which the space is used.
- (3) Section 6003 of this act does not apply to this appropriation.
- (4) There is no intent to reappropriate amounts not expended by June 30, 2009.

Appropriation:

Education Construction Account--State	\$22,802,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$22,802,000

NEW SECTION. Sec. 5255. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Seattle Central Community College: Edison North Renovation (08-1-314)

Appropriation:

State Building Construction Account--State	\$18,284,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$18,284,000

NEW SECTION. Sec. 5256. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Seattle Central Community College: Wood Construction Center (08-1-216)

Appropriation:

State Building Construction Account--State	\$2,549,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$23,734,000
TOTAL	\$26,283,000

NEW SECTION. Sec. 5257. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Shoreline Community College: Automotive Training Center (08-2-413)

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. 5258. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Skagit Valley College: Academic and Student Services Building (08-1-224)

Appropriation:

State Building Construction Account--State	\$136,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$26,763,000
TOTAL	\$26,899,000

NEW SECTION. Sec. 5259. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

South Puget Sound Community College: Building 22 Renovation (08-1-316)

Appropriation:

State Building Construction Account--State	\$10,359,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$10,001,000
TOTAL	\$20,360,000

NEW SECTION. Sec. 5260. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Spokane Community College: Building 7 Renovation (08-1-319)

Appropriation:

State Building Construction Account--State	\$1,009,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$9,331,000
TOTAL	\$10,340,000

NEW SECTION. Sec. 5261. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Spokane Community College: Technical Education Building (08-1-220)

Appropriation:

State Building Construction Account--State	\$2,393,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$30,391,000
TOTAL	\$32,784,000

NEW SECTION. Sec. 5262. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Spokane Falls Community College: Chemistry and Life Science Building (08-1-219)

Appropriation:

State Building Construction Account--State	\$2,520,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$27,044,000
TOTAL	\$29,564,000

NEW SECTION. Sec. 5263. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM

Spokane Falls Community College: Magnuson Building Remodel (08-2-415)

Appropriation:

State Building Construction Account--State	\$941,000
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Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$941,000

NEW SECTION. Sec. 5264. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Spokane Falls Community College: Music Building 15 Renovation (08-1-320)

Appropriation:

State Building Construction Account--State	\$1,142,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$13,094,000
TOTAL	\$14,236,000

NEW SECTION. Sec. 5265. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Tacoma Community College: Early Childhood Education/Childcare Center (08-2-418)

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. 5266. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Tacoma Community College: Health Careers Center (08-2-701)

Appropriation:

State Building Construction Account--State	\$255,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$36,514,000
TOTAL	\$36,769,000

NEW SECTION. Sec. 5267. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Walla Walla Community College: Culinary Arts/Student Development Center (08-2-419)

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. 5268. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Yakima Valley Community College: Brown Dental Hygiene Building (08-1-317)

Appropriation:

State Building Construction Account--State	\$5,675,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$5,675,000

NEW SECTION. Sec. 5269. FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Higher Education Cost Escalation (08-2-850)

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for the state board for community and technical colleges to establish a process for allocating funds to projects that have experienced unanticipated cost escalation for projects bid during the 2007-2009 biennium. Not more than \$750,000 shall be made available to any single project and amounts provided for this purpose must be matched equally from nonstate resources. The board shall manage the distribution of funds to ensure that the requesting college has managed its project within the current appropriation through preparation of bid documents and that the scope of the project is no greater than was originally specified in the design. The board will report to the office of financial management and the appropriate fiscal committees of the legislature on the use of these funds.

Appropriation:

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

MISCELLANEOUS AND SUPPLEMENTAL PROVISIONS

NEW SECTION. Sec. 6001. (1) Allotments for appropriations in this act shall be provided in accordance with the capital project review requirements adopted by the office of financial management. The office of financial management shall notify the house of representatives capital budget committee and the senate ways and means committee of allotment releases based on review by the office of financial management. No expenditure may be incurred or obligation entered into for appropriations in this act until the office of financial management has given final approval to the allotment of the funds to be expended or encumbered. For allotments under this act, the allotment process includes, in addition to the statement of proposed expenditures for the current biennium, a category or categories for any reserve amounts and amounts expected to be expended in future biennia. Projects that will be employing alternative public works construction procedures under chapter 39.10 RCW are subject to the allotment procedures defined in this section and RCW 43.88.110. Contracts shall not be executed that call for expenditures in excess of the approved allotment, and the total amount shown in such contracts for the cost of future work that has not been appropriated shall not exceed the amount identified for such work in the level of funding approved by the office of financial management at the completion of predesign.

(2) The legislature intends 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.

NEW SECTION. Sec. 6002. To ensure that major construction projects are carried out in accordance with legislative and executive intent, appropriations in this act in excess of \$5,000,000 shall not be expended or encumbered until the office of financial management has reviewed and approved the agency's predesign. The predesign document shall include but not be limited to program, site, and cost analysis in accordance with the predesign manual adopted by the office of financial management. To improve monitoring of major construction projects, progress reports shall be submitted by the agency administering the project to the office of financial management and to the fiscal committees of the house of representatives and senate. Reports will be submitted on July 1st and December 31st each year in a format to be developed by the office of financial management.

NEW SECTION. Sec. 6003. (1) To ensure minor works appropriations are carried out in accordance with legislative intent, funds appropriated in this act shall not be allotted until project lists are on file at the office of financial management, the house of representatives capital budget committee, and the senate ways and means committee. All projects must meet the criteria included in subsection (2)(a) of this section. Revisions to the lists must be filed with the office of financial management, the house of representatives capital budget committee, and the senate ways and means committee and include an explanation of variances from the prior lists before funds may be expended on the revisions. No expenditure may be incurred or obligation entered into for minor works appropriations until the office of financial management has approved the allotment of the funds to be expended.

(2)(a) Minor works projects are single line appropriations that include multiple projects of a similar nature and that are valued between \$25,000 and \$1,000,000 each, with the exception of higher education minor works projects that may be valued up to \$2,000,000. These projects can generally be completed within two years of the appropriation with the funding provided. Agencies are prohibited from including projects on their minor works lists that are a phase of a larger project, and that if combined over a continuous period of time, would exceed \$1,000,000, or \$2,000,000 for higher education minor works projects. Improvements for accessibility in compliance with the Americans with disabilities act may be included in any of the above minor works categories.

(b) Minor works appropriations shall not be used for, among other things: Studies, except for technical or engineering reviews or designs that lead directly to and support a project on the same minor works list; planning; design outside the scope of work on a minor works list; moveable, temporary, and traditionally funded operating equipment not in compliance with the equipment criteria established by the office of financial management; software not dedicated to control of a specialized system; moving expenses; land or facility acquisition; or to supplement funding for projects with funding shortfalls unless expressly authorized elsewhere in this act. The office of financial management may make an exception to the limitations described in this subsection (2)(b) for exigent circumstances after notifying the legislative fiscal committees and waiting ten days for comments by the legislature regarding the proposed exception.

(3) It is generally not the intent of the legislature to make future appropriations for capital expenditures or for maintenance and operating expenses for an acquisition project or a significant expansion project that is initiated through the minor works process and therefore does not receive a policy and fiscal analysis by the legislature. Minor works projects are intended to be one-time expenditures that do not require future state resources to complete.

NEW SECTION. Sec. 6004. (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 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 by the legislature 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) 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.

NEW SECTION. Sec. 6005. (1) It is expected that projects be ready to proceed in a timely manner depending on the type or phase of the project or program that is the subject of the appropriation in this act. Except for major projects that customarily may take more than two biennia to complete from predesign to the end of construction, or large infrastructure grant or loan programs supporting projects that often take more than two biennia to complete, the legislature generally does not intend to reappropriate funds more than once, particularly for smaller grant programs, local/community projects, and minor works.

(2) Agencies shall expedite the expenditure of reappropriations and appropriations in this act in order to: (a) Rehabilitate infrastructure resources; (b) accelerate environmental rehabilitation and restoration projects for the improvement of the state's natural environment; (c) reduce additional costs associated with acquisition and construction inflationary pressures; and (d) provide additional employment opportunities associated with capital expenditures.

(3) To the extent feasible, agencies are directed to accelerate expenditure rates at their current level of permanent employees and shall use contracted design and construction services wherever necessary to meet the goals of this section.

NEW SECTION. Sec. 6006. The legislature finds that the state's public four-year institutions and the higher education coordinating board have made substantial progress in developing a process to create a single prioritized list of capital project requests as required under RCW 28B.76.220. The legislature also recognizes that continuing work by the institutions and the board is needed to refine the methodology for determining the ranking of project requests, and that this work will benefit from additional legislative guidance. Therefore, the higher education coordinating board and the public four-year institutions, in developing and submitting the single prioritized project list of capital project requests under RCW 28B.76.220, shall use the following guidelines:

(1) Representatives of the board shall participate in the process of scoring projects using the criteria in the board's biennial budget guidelines. Representatives of the board shall also review the preliminary project list to verify the scoring and ranking of projects. As required under RCW 28B.76.210, institutions must submit the preliminary project list to the board by August 1st of each even-numbered year to enable this review. Any disagreements over project scorings or rankings shall be resolved as provided under RCW 28B.76.220(4).

(2) The higher education coordinating board's biennial budget guidelines and the prioritization process shall place greater emphasis on:

(a) Early critical review of project proposals at the predesign phase, rather than deferring critical review and prioritization to the design or construction phases of a project; and

(b) The capital budget bow wave for a six-year period, beginning with the 2009-2011 biennium through the 2013-2015 biennium.

(3) When projects are aggregated into single line-item requests, each project must meet the definition of minor works according to section 6003(2)(a) of this act. All major projects must be listed and ranked as individual line-item requests.

(4) The scoring and ranking of projects shall not be based on assigning an equal number of overall points to each public four-year institution, but shall reflect an assignment of points to individual projects based on the priorities and criteria in this section and in the board's biennial budget guidelines.

(5) Projects shall not be ranked on the basis of a project funding source.

(6) In consultation with the appropriate fiscal and policy committees of the legislature, the board shall identify statewide priorities for higher education capital investments and incorporate those priorities into its biennial budget guidelines. The statewide priorities shall address the need for higher education capital projects to:

(a) Implement a specific legislatively authorized program or planning priority;

(b) Reduce the backlog of deferred building or system preservation, renewal, or replacement;

(c) Provide additional capacity or adaptation of space for high demand instructional or research programs;

(d) Provide additional instructional program capacity for under-served geographic regions or populations; and

(e) Reflect institutional planning priorities and areas of emphasis.

(7) The higher education coordinating board's biennial budget guidelines shall include a quantitative method for scoring projects on the identified priorities. The quantitative method shall include use of the facility condition index developed by the joint legislative audit and review committee for assessing building or system condition, and use of the board's space utilization and allocation standards for assessing the need for additional capacity.

(8) The council of presidents, in consultation with the board, shall report by September 1, 2007, to the appropriate legislative fiscal committees on the use of a proportionality factor in the scoring and ranking of projects. The report shall include:

(a) A definition of proportionality as it has been used in the scoring and ranking of projects for funding in the 2007-2009 biennium and may be used for subsequent biennia;

(b) A method for measuring proportionality in a valid and consistent manner; and

(c) An explanation of how proportionality relates to the statewide priorities established in subsection (6) of this section, including an assessment of the extent to which it promotes the achievement of these statewide priorities.

NEW SECTION. Sec. 6007. The Washington state auditor shall perform an audit of the Seattle public library and the secretary of state with regard to expenditures related to the facility located at 2021 9th Avenue, Seattle, Washington that houses the Washington talking book and braille library and city of Seattle functions. The audit shall be completed and results available to the legislature by September 1, 2007.

NEW SECTION. Sec. 6008. Eastern Washington University is authorized to sell its Spokane center. Proceeds from the sale must be deposited into the higher education construction account. Proceeds may be used to acquire or design a facility on or adjacent to the Riverpoint higher education campus for the university's Spokane-based program offerings. Eastern Washington University must report to the office of financial management and the appropriate fiscal committees of the legislature upon the sale of the center and with regard to expenditure of the proceeds.

NEW SECTION. Sec. 6009. The office of financial management, in consultation with the department of general administration, shall identify capital projects that may benefit from an energy analysis to determine whether there are alternate, more economical, and energy efficient means of completing the work. The office of financial management shall hold appropriations in allotment reserve on the following types of capital projects until this analysis can be completed: Heating, ventilation, and air conditioning modifications, chiller plants, steam plants, boilers, chilled water or steam lines, building control systems, lighting improvements, or other major energy using systems that may warrant additional analysis. Agencies receiving appropriations for such projects are encouraged to utilize energy performance contracts or alternative financing for equipment in lieu of state appropriated funds. The office of financial management may transfer funds remaining in allotment reserve to infrastructure savings projects within the agency that has realized savings from energy efficiency alternatives.

NEW SECTION. Sec. 6010. The effective use of state-supported space in higher education is an important factor in assessing both effective management and priorities for capital funding. It is also recognized that the facilities of the state vary significantly among the

community colleges, the comprehensive regional universities, and the research universities. It is further recognized that the existing higher education coordinating board space study does a good job of highlighting the use of a portion of the space for a specific chosen set of uses.

In order for the legislature to have a better awareness of all uses of all state-supported space, the council of presidents shall prepare an assessment of facilities use that covers the full scope of uses for all types of state-funded spaces. This assessment should start with the higher education coordinating board report and build upon this to include additional uses, space types, and methodologies, including methodologies and practices used by other higher education institutions.

To the extent possible, it would be helpful for this assessment to use the same definitions of space types and uses. Based upon the differences in mission and function, the assessment may be divided to look at the comprehensive regional universities along with The Evergreen State College in one group and the research universities as a second group.

The council of presidents shall coordinate this effort with the office of financial management, staff from the appropriate fiscal and higher education committees of the legislature, and the higher education coordinating board. The assessment shall be completed and delivered to the legislature by January 1, 2008.

NEW SECTION. Sec. 6011. State agencies, including institutions of higher education, shall allot and report full-time equivalent staff for capital projects in a manner comparable to staff reporting for operating expenditures.

NEW SECTION. Sec. 6012. Due to the intended replacement of the building adjoining Capital Way and 11th avenue, the department of general administration shall not charge the facility depreciation component of lease charges for nonprofit tenants in that facility during the 2007-2009 biennium.

NEW SECTION. Sec. 6013. Executive Order No. 05-05, archaeological and cultural resources, was issued effective November 10, 2005. Agencies and higher education institutions shall comply with the requirements set forth in this executive order.

NEW SECTION. Sec. 6014. 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) Washington state patrol: Enter into a financing contract for up to \$1,360,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to replace the dormitory facility at the Washington state patrol fire training academy in North Bend, Washington.

(2) Department of general administration: Enter into a financing contract for up to \$685,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the preservation of the transportation building.

(3) Department of corrections: Enter into a financing contract for up to \$17,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to provide additional work release beds.

(4) Parks and recreation commission: Enter into a financing contract in an amount not to exceed \$2,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to develop Cama Beach state park.

(5) Community and technical colleges:

(a) 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 purchase Kent Station phase 2.

(b) Enter into a financing contract on behalf of Tacoma Community College for up to \$3,600,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct an early childhood education and learning center.

(c) 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.

(d) Enter into a financing contract on behalf of Columbia Basin College for up to \$300,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to develop an academic support and achievement center.

(6) Evergreen State College: Enter into a financing contract for up to \$16,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW for the college activities building renovation.

(7) Washington state convention and trade center: Enter into a financing contract for up to \$58,000,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to purchase and renovate the museum condominium unit located adjacent to the state convention center. The purchase price shall not exceed the appraised fair market value. A purchase agreement shall include the following requirements: (a) Upon completion of the purchase of the property, the buyer shall put \$5,750,000 of the purchase price in an interest-bearing escrow account that shall be released to the seller after the seller has raised sixty-five percent of the funds required to develop a museum within the city of Seattle and has executed a development agreement with the city of Seattle; and (b) in the event that the conditions of (a) of this subsection are not met by June 30, 2013, the entire amount in the escrow account shall be transferred to the state general fund and shall represent a recovery of the state's contribution towards the development of the museum. In the event of such a transfer, the rightful ownership of the property by the Washington state convention and trade center shall not be impaired.

(8) Department of general administration: Enter into a financing contract for an amount approved by the office of financial management for costs and financing expenses and required reserves pursuant to chapter 39.94 RCW to lease develop or lease purchase a state general office building and facilities for the department of information services on the state-owned property called "the Wheeler block" in Olympia. The office buildings shall be constructed and financed so that agencies occupancy costs will not exceed comparable private market rental rates. The comparable general office space rate shall be calculated based on recent Thurston county leases of new space of at least 100,000 rentable square feet adjusted for known escalation clauses, expected inflation, and differences in the level of service provided by the comparable leases as determined by the department of general administration. In addition to the department of information services, state agency tenants shall include the state patrol and other state agencies specified in LEAP capital document No. 2007-xx. The office of financial management shall certify

to the state treasurer: (a) The project description and dollar amount; and (b) that all requirements of this subsection (10) have been met. Should the department choose to use a financing contract that does not provide for the issuance of certificates of participation, the financing contract shall be subject to approval by the state finance committee as required by RCW 39.94.010. In approving a financing contract not providing for the use of certificates of participation, the state finance committee should be reasonably certain that the contract is excluded from the computation of indebtedness, particularly that the contract is not backed by the full faith and credit of the state, and the legislature is expressly not obligated to appropriate funds to make payments. For purposes of this section, "financing contract" includes but is not limited to a certificate of participation and tax exempt financing similar to that authorized in RCW 47.79.140.

(9) Office of the secretary of state: Enter into a financing contract for up to \$112,942,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct the heritage center. The heritage center is one part of a combined facility of the heritage center and executive office building, authorized in subsection (10) of this section. The authorization for financing under this subsection (9) shall lapse unless chapter ... ([House] [Senate] Bill No. (Z-0290/07, providing funding for the heritage building project)), Laws of 2007 is enacted by June 30, 2007.

(10) Department of general administration: Enter into a financing contract for up to \$75,863,000 plus financing expenses and required reserves pursuant to chapter 39.94 RCW to construct the executive office building. The executive office building is one part of a combined facility of the executive office building and the heritage center authorized in subsection (9) of this section. The authorization for financing under this subsection (10) shall lapse unless chapter ... ([House] [Senate] Bill No. (Z-0290/07, providing funding for the heritage building project)), Laws of 2007 is enacted by June 30, 2007.

NEW SECTION. Sec. 6015. FOR THE ARTS COMMISSION--ART WORK ALLOWANCE POOLING. (1) One-half of one percent of moneys appropriated in this act for original construction of school plant facilities is provided solely for the purposes of RCW 28A.335.210. The Washington state arts commission may combine the proceeds from individual projects in order to fund larger works of art or mobile art displays in consultation with the superintendent of public instruction and representatives of school district boards.

(2) One-half of one percent of moneys appropriated in this act for original construction or any major renovation or remodel work exceeding two hundred thousand dollars by colleges or universities is provided solely for the purposes of RCW 28B.10.027. The Washington state arts commission may combine the proceeds from individual projects in order to fund larger works of art or mobile art displays in consultation with the board of regents or trustees.

(3) One-half of one percent of moneys appropriated in this act for original construction of any public building by a state agency as defined in RCW 43.17.020 is provided solely for the purposes of RCW 43.17.200. The Washington state arts commission may combine the proceeds from individual projects in order to fund larger works of art or mobile art displays in consultation with the state agency.

(4) At least eighty-five percent of the moneys spent by the Washington state arts commission during the 2007-2009 biennium for the purposes of RCW 28A.335.210, 28B.10.027, and 43.17.200 must be expended solely for direct acquisition of works of art. The commission may use up to \$100,000 of this amount to conserve or maintain existing pieces in the state art collection pursuant to chapter 36, Laws of 2005.

NEW SECTION. Sec. 6016. The amounts shown under the headings "Prior Biennia," "Future Biennia," and "Total" in this act are for informational purposes only and do not constitute legislative approval of these amounts. "Prior biennia" typically refers to the immediate prior biennium for reappropriations, but may refer to multiple biennia in the case of specific projects. A "future biennia" amount is an estimate of what may be appropriated for the project or program in the 2009-2011 biennium and the following three biennia; an amount of zero does not necessarily constitute legislative intent to not provide funding for the project or program in the future.

NEW SECTION. Sec. 6017. (1) "Reappropriations" in this act are appropriations and, unless the context clearly provides otherwise, are subject to the relevant conditions and limitations applicable to appropriations. Reappropriations shall be limited to the unexpended balances remaining on June 30, 2007, from the 2005-2007 biennial appropriations for each project.

(2) "Reappropriations" from the water quality capital account in this act shall be limited to the unexpended balance remaining as of the end of fiscal year 2007 from the water quality account in the 2005-2007 biennial appropriations for each project in this act.

(3) "Reappropriations" in sections 5001, 5002, 5003, and 5005 of this act shall be reduced in this act to the unexpended balances remaining as of the end of fiscal year 2007 for the 2005-2007 biennial appropriation in sections 602, 604, and 607, chapter 488, Laws of 2005, and section 194, chapter 371, Laws of 2006.

NEW SECTION. Sec. 6018. The water quality capital account is created in the state treasury pursuant to chapter . . . ([House][Senate] Bill No. . . . (Z-0356.3/07)), Laws of 2007 (water quality capital account). In this act, appropriations from the water quality capital account are defined as appropriations from that account. If chapter . . . ([House][Senate] Bill No. . . . (Z-0356.3/07)), Laws of 2007 (water quality capital account) is not enacted by June 30, 2007, appropriations in this act either from that account or into that account shall lapse.

NEW SECTION. Sec. 6019. To carry out the provisions of this act, the governor may assign responsibility for predesign, design, construction, and other related activities to any appropriate agency.

NEW SECTION. Sec. 6020. If any federal moneys appropriated by this act for capital projects are not received by the state, the department or agency to which the moneys were appropriated may replace the federal moneys with funds available from private or local sources. No replacement may occur under this section without the prior approval of the director of financial management in consultation with the senate ways and means committee and the house of representatives capital budget committee.

NEW SECTION. Sec. 6021. (1) Unless otherwise stated, for all appropriations under this act that require a match of nonstate money or in-kind contributions, the following requirement, consistent with RCW 43.88.150, shall apply: Expenditures of state money shall be timed so that the state share of project expenditures never exceeds the intended state share of total project costs.

(2) Provision of the full amount of required matching funds is not required to permit the expenditure of capital budget appropriations for phased projects if a proportional amount of the required matching funds is provided for each distinct, identifiable phase of the project.

NEW SECTION. Sec. 6022. Any capital improvements or capital projects involving construction or major expansion of a state office facility, including, but not limited to, district headquarters, detachment offices, and off-campus faculty offices, must be reviewed by the department of general administration for possible consolidation, colocation, and compliance with state office standards before allotment of funds. The intent of the requirement imposed by this section is to eliminate duplication and reduce total office space requirements where feasible, while ensuring proper service to the public.

NEW SECTION. Sec. 6023. NONTAXABLE AND TAXABLE BOND PROCEEDS. Portions of the appropriation authority granted by this act from the state building construction account, or any other account receiving bond proceeds, may be transferred to the state taxable building construction account as deemed necessary by the state finance committee to comply with the federal internal revenue service rules and regulations pertaining to the use of nontaxable bond proceeds. The state treasurer shall submit written notification to the director of financial management if it is determined that a shift of appropriation authority from the state building construction account, or any other account receiving bond proceeds, to the state taxable building construction account is necessary.

NEW SECTION. Sec. 6024. (1) A study committee on public infrastructure programs and funds is established. The study committee shall consist of eight members, as follows:

- (a) Two members from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives; and
 - (b) Two members from each of the two largest caucuses of the senate, appointed by the president of the senate.
- (2) The study committee members shall, by an affirmative vote of at least five members, select a chair from among its membership.
- (3) The study committee may consult with individuals from the public and private sectors and other interested parties, as may be appropriate, for technical advice and assistance and may request such individuals to establish advisory committees or work groups that report to the study committee.
- (4) The study committee shall make recommendations regarding a comprehensive funding structure and systematic approach to support the integration, consolidation, and standardization of processes, procedures, and infrastructure programs. In order to make recommendations, the study committee shall:
- (a) Review state public infrastructure programs and funds and the purposes each serve using the November 29, 2006, inventory of state infrastructure programs compiled by the joint legislative audit and review committee;
 - (b) Review program or fund implementation;
 - (c) Consider the types of public infrastructure projects supported by the program or fund; and
 - (d) Identify overlaps or gaps in types of public infrastructure projects supported through state programs or funds.
- (5) The study committee shall use staff from the house of representatives office of program research and senate committee services, in consultation with the department of community, trade, and economic development and the office of financial management.
- (6) The study committee shall report its findings and recommendations to the appropriate committees of the house of representatives and the senate by January 1, 2008.
- (7) The study committee expires January 1, 2008.

NEW SECTION. Sec. 6025. The Washington state historical society shall review its competitive process to solicit proposals for heritage capital projects for potential funding in the state capital budget. The Washington state historical society shall submit a report to the office of financial management with recommendations on how to reduce its reappropriations by June 30, 2008.

NEW SECTION. Sec. 6026. The interagency committee for outdoor recreation shall review its competitive process to solicit proposals for the wildlife and recreation grant program for potential funding in the state capital budget. The interagency committee for outdoor recreation shall submit a report to the office of financial management with recommendations on how to reduce its reappropriations by June 30, 2008.

NEW SECTION. Sec. 6027. The office of financial management may authorize a value engineering study of a project's predesign report prior to beginning the design phase for the project. The allotment of the design phase may be delayed to accommodate the study.

NEW SECTION. Sec. 6028. ~~STATE TREASURER||TRANSFERSFOR THE STATE TREASURER--TRANSFERS.~~ The transfer in this section is subject to the following conditions and limitations: The amount transferred shall be added to the irreducible principal of the common school permanent fund. The state investment board shall invest the amount transferred in various types of allowable investments in order to achieve a balance of long-term growth and current income. The treasurer shall calculate the irreducible principal in accordance with the state constitution and state law. The irreducible principal shall not include investment gains on the principal of the amount transferred, and the fund may retain or distribute income and investment earnings attributable to this amount in order to achieve the appropriate balance between growth and income.

Natural Resources Real Property Replacement
 Account: For transfer to the Common School
 Permanent Fund \$30,000,000

Sec. 6029. RCW 79.17.210 and 2003 c 334 s 118 are each amended to read as follows:

- (1) The legislature finds that the department has a need to maintain the real property asset base it manages and needs an accounting mechanism to complete transactions without reducing the real property asset base.
- (2) The natural resources real property replacement account is created in the state treasury. This account shall consist of funds transferred or paid for the disposal or transfer of real property by the department under RCW 79.17.200. The funds in this account shall be used solely for the acquisition of replacement real property and may be spent only when, and as, authorized by legislative appropriation. During the 2007-2009 biennium, balances in the account may be transferred to the appropriate permanent funds as directed in the capital budget appropriations act.

NEW SECTION. Sec. 6030. FOR THE STATE TREASURER--TRANSFERS
 Education Construction Account: For transfer to
 the Common School Construction, an amount
 not to exceed \$124,200,000

Education Savings Account: For transfer to the
 Common School Construction Account, an
 amount not to exceed \$43,400,000

Sec. 6031. RCW 70.105D.070 and 2005 c 488 s 926 are each amended to read as follows:

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

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

- (i) The state's responsibility for hazardous waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.105 RCW;
- (ii) The state's responsibility for solid waste planning, management, regulation, enforcement, technical assistance, and public education required under chapter 70.95 RCW;
- (iii) The hazardous waste cleanup program required under this chapter;
- (iv) State matching funds required under the federal cleanup law;
- (v) Financial assistance for local programs in accordance with chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;
- (vi) State government programs for the safe reduction, recycling, or disposal of hazardous wastes from households, small businesses, and agriculture;
- (vii) Hazardous materials emergency response training;
- (viii) Water and environmental health protection and monitoring programs;
- (ix) Programs authorized under chapter 70.146 RCW;
- (x) A public participation program, including regional citizen advisory committees;
- (xi) Public funding to assist potentially liable persons to pay for the costs of remedial action in compliance with cleanup standards under RCW 70.105D.030(2)(e) but only when the amount and terms of such funding are established under a settlement agreement under RCW 70.105D.040(4) and when the director has found that the funding will achieve both (A) a substantially more expeditious or enhanced cleanup than would otherwise occur, and (B) the prevention or mitigation of unfair economic hardship; and
- (xii) Development and demonstration of alternative management technologies designed to carry out the top two hazardous waste management priorities of RCW 70.105.150.

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

(a) Moneys deposited in the local toxics control account shall be used by the department for grants or loans to local governments for the following purposes in descending order of priority: (i) Remedial actions; (ii) hazardous waste plans and programs under chapter 70.105 RCW; (iii) solid waste plans and programs under chapters 70.95, 70.95C, 70.95I, and 70.105 RCW; (iv) funds for a program to assist in the assessment and cleanup of sites of methamphetamine production, but not to be used for the initial containment of such sites, consistent with the responsibilities and intent of RCW 69.50.511; and (v) cleanup and disposal of hazardous substances from abandoned or derelict vessels that pose a threat to human health or the environment. For purposes of this subsection (3)(a)(v), "abandoned or derelict vessels" means vessels that have little or no value and either have no identified owner or have an identified owner lacking financial resources to clean up and dispose of the vessel. Funds for plans and programs shall be allocated consistent with the priorities and matching requirements established in chapters 70.105, 70.95C, 70.95I, and 70.95 RCW. During the 1999-2001 fiscal biennium, moneys in the account may also be used for the following activities: Conducting a study of whether dioxins occur in fertilizers, soil amendments, and soils; reviewing applications for registration of fertilizers; and conducting a study of plant uptake of metals. During the 2005-2007 fiscal biennium, the legislature may transfer from the local toxics control account to the state toxics control account such amounts as specified in the omnibus capital budget bill. During the ~~((2005-2007))~~ 2007-2009 fiscal biennium, moneys in the account may also be used for grants to local governments to retrofit public sector diesel equipment and for storm water planning and implementation activities.

(b) Funds may also be appropriated to the department of health to implement programs to reduce testing requirements under the federal safe drinking water act for public water systems. The department of health shall reimburse the account from fees assessed under RCW 70.119A.115 by June 30, 1995.

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

(5) One percent of the moneys deposited into the state and local toxics control accounts shall be allocated only for public participation grants to persons who may be adversely affected by a release or threatened release of a hazardous substance and to not-for-profit public interest organizations. The primary purpose of these grants is to facilitate the participation by persons and organizations in the investigation and remedying of releases or threatened releases of hazardous substances and to implement the state's solid and hazardous waste management priorities. However, during the 1999-2001 fiscal biennium, funding may not be granted to entities engaged in lobbying activities, and applicants may not be awarded grants if their cumulative grant awards under this section exceed two hundred thousand dollars. No grant may exceed sixty thousand dollars. Grants may be renewed annually. Moneys appropriated for public participation from either account which are not expended at the close of any biennium shall revert to the state toxics control account.

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

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

~~((8) During the 2005-2007 fiscal biennium, the legislature may transfer from the state toxics control account to the water quality account such amounts as reflect the excess fund balance of the fund.))~~

Sec. 6032. RCW 43.43.944 and 2005 c 518 s 929 are each amended to read as follows:

(1) The fire service training account is hereby established in the state treasury. The fund shall consist of:

- (a) All fees received by the Washington state patrol for fire service training;
- (b) All grants and bequests accepted by the Washington state patrol under RCW 43.43.940; and
- (c) Twenty percent of all moneys received by the state on fire insurance premiums.

(2) Moneys in the account may be appropriated only for fire service training. During the ~~((2005-2007))~~ 2007-2009 fiscal biennium, the legislature may appropriate funds from this account for ~~((school fire prevention activities within the Washington state patrol))~~ additional sanitary wastewater treatment capacity at the state fire service training center.

Sec. 6033. RCW 43.135.045 and 2005 c 518 s 931, 2005 c 314 s 401, and 2005 c 72 s 6 are each reenacted and amended to read as follows:

(1) The emergency reserve fund is established in the state treasury. During each fiscal year, the state treasurer shall transfer an amount from the state general fund to the emergency reserve fund. The amount transferred shall equal the amount by which total state revenue for the general fund and related funds exceeds the state expenditure limit, multiplied by the percentage that general fund expenditures are of total

expenditures from the general fund and related funds. Transfers shall be made at the end of each fiscal quarter based on projections of state revenues, expenditures, and the state expenditure limit. The treasurer shall make transfers between these accounts as necessary to reconcile actual annual revenues and the expenditure limit for fiscal year 2000 and thereafter.

(2) The legislature may appropriate moneys from the emergency reserve fund only with approval of at least two-thirds of the members of each house of the legislature, and then only if the appropriation does not cause total expenditures to exceed the state expenditure limit under this chapter.

(3) The emergency reserve fund balance shall not exceed five percent of annual general fund--state revenues as projected by the official state revenue forecast. Any balance in excess of five percent shall be transferred on a quarterly basis by the state treasurer as follows: Seventy-five percent to the student achievement fund hereby created in the state treasury and twenty-five percent to the general fund balance. The treasurer shall make transfers between these accounts as necessary to reconcile actual annual revenues for fiscal year 2000 and thereafter. When per-student state funding for the maintenance and operation of K-12 education meets a level of no less than ninety percent of the national average of total funding from all sources per student as determined by the most recent published data from the national center for education statistics of the United States department of education, as calculated by the office of financial management, further deposits to the student achievement fund shall be required only to the extent necessary to maintain the ninety-percent level. Remaining funds are part of the general fund balance and these funds are subject to the expenditure limits of this chapter.

(4) The education construction fund is hereby created in the state treasury.

(a) Funds may be appropriated from the education construction fund exclusively for common school construction or higher education construction. During the 2007-2009 fiscal biennium, funds may also be used for higher education facilities preservation and maintenance.

(b) Funds may be appropriated for any other purpose only if approved by a two-thirds vote of each house of the legislature and if approved by a vote of the people at the next general election. An appropriation approved by the people under this subsection shall result in an adjustment to the state expenditure limit only for the fiscal period for which the appropriation is made and shall not affect any subsequent fiscal period.

(5) Funds from the student achievement fund shall be appropriated to the superintendent of public instruction strictly for distribution to school districts to meet the provisions set out in the student achievement act. Allocations shall be made on an equal per full-time equivalent student basis to each school district.

Sec. 6034. RCW 43.155.050 and 2005 c 488 s 925 and 2005 c 425 s 4 are each reenacted and 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. For the ~~((2005-2007))~~ 2007-2009 biennium, moneys in the account may be used for grants for projects identified in section 138, chapter 488, Laws of 2005.

(2) The job development fund is hereby established in the state treasury. Up to fifty million dollars each biennium from the public works assistance account may be transferred into the job development fund. Money in the job development fund may be used solely for job development fund program grants, administrative expenses related to the administration of the job development fund program created in RCW 43.160.230, and for the report prepared by the joint legislative audit and review committee pursuant to RCW 44.28.801(2). Moneys in the job development fund may be spent only after appropriation. The board shall prepare a prioritized list of proposed projects of up to fifty million dollars as part of the department's 2007-09 biennial budget request. The board may provide an additional alternate job development fund project list of up to ten million dollars. The legislature may remove projects from the list recommended by the board. The legislature may not change the prioritization of projects recommended for funding by the board, but may add projects from the alternate list in order of priority, as long as the total funding does not exceed fifty million dollars.

Sec. 6035. RCW 43.155.050 and 2005 c 488 s 925 are each amended to read as follows:

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. For the ~~((2005-2007))~~ 2007-2009 biennium, moneys in the account may be used for grants for projects identified in section 138, chapter 488, Laws of 2005 and section 1033 of this act.

NEW SECTION. Sec. 6036. For appropriations under this act that contribute to Puget Sound protection and recovery, the department of ecology, the department of fish and wildlife, the department of natural resources, the state conservation commission, the state parks and recreation commission, the department of health, and the interagency committee for outdoor recreation shall sign performance agreements with the Puget Sound partnership as described in chapter . . . , ([House] [Senate] Bill No. . . .) Laws of 2007 (Z-0369 Puget Sound partnership).

NEW SECTION. Sec. 6037. Section 6034 of this act expires June 30, 2011.

Sec. 6038. 2005 c 488 s 955 (uncodified) is amended to read as follows:

~~((Sections))~~ (1) Section 920 ~~((and 921))~~ of this act expires June 30, 2007.

(2) Section 921 of this act expires June 30, 2009.

Sec. 6039. 2006 c 371 s 106 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT

Local/Community Projects (06-4-008)

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

(1) The projects must comply with RCW 43.63A.125(2)(c) and other requirements for community projects administered by the department.

(2) Funding for the Inland Northwest Science and Technology Center shall be held in reserve until the balance of phase I funding has been secured or committed from local government and community sources.

(3) The Washington state arts commission shall design a plaque that shall be affixed to buildings or displayed as part of a project receiving any appropriation from this section. The plaque shall provide information to the public that the building or project has been made possible by the tax dollars of Washington citizens. The commission may contact the secretary of state to obtain approval for use of the Washington seal in the design of the plaque. The final design shall be approved by the chairs and ranking members of the house of representatives capital budget committee and the senate ways and means committee.

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

Projects	Recommendation
7th street theatre	\$600,000
Alder creek pioneer association carousel museum	\$450,000
Asian counseling and referral service	\$2,000,000
Auburn veterans' memorial park improvements	\$50,000
Bailey Gatzert children's play area	\$75,000
Bridge for kids	\$850,000
Brookside school ADA playground equipment	\$25,000
Buena library	\$50,000
Camp prime time repairs--families with terminally ill children	\$100,000
Cannon house	\$250,000
Central area motivation program (CAMP)	\$250,000
Cesar Chavez park	\$150,000
Chambers creek footbridge	\$177,000
Childhaven	\$150,000
Clark Lake park and retreat center	\$500,000
Colman school preconstruction activities	\$1,200,000
Colored women's association meeting house	\$60,000
Columbia breaks fire interpretive center	\$150,000
Community center at Greenbridge	\$400,000
Covington aquatics center phase 1	\$350,000
Crossroads community center and park	\$250,000
Cutter theater	\$71,000
Deming library	\$85,000
Des Moines beach park historic buildings	\$300,000
Discovery park	\$1,000,000
East Whatcom regional resource center	\$1,750,000
Eatonville family park	\$50,000
El Centro de la Raza	\$900,000
Filipino community center	\$200,000
Financial assistance to the town of Hamilton	\$150,000
Food bank refrigeration projects	\$365,000
Foster creek	\$150,000
Fox theater	\$2,398,000
Garfield county agricultural museum	\$150,000
GC health clinic	\$12,000
Grand Army of the Republic cemetery	\$5,000
Granite Falls museum expansion	\$50,000

Greenbridge plaza in White Center	\$200,000
Habitat park south hill	\$400,000
Hanford reach interpretive center <u>preconstruction activities</u>	\$2,000,000
Hidden river environmental education center	\$50,000
ICL education center	\$200,000
Japanese cultural and community center	\$200,000
Joel Pritchard park	\$2,500,000
Joe's creek project	\$856,000
Juanita creek channel and riparian restoration	\$500,000
Juanita highlands	\$275,000
Julia Butler Hansen home restoration	\$10,000
Kettle falls park	\$100,000
Kirkland nonmotorized facilities	\$200,000
LeRoi smelter smokestack monument	\$3,000
Lewis and Clark confluence project	\$2,000,000
McCaw hall	\$2,000,000
Meridian habitat park	\$400,000
Miners' memorial	\$36,500
Miracle league handicapped baseball	\$57,000
MOBIUS/Inland Northwest science and technology center	\$1,500,000
Mt. Baker theater	\$200,000
Mt. Vernon Jasper Gates statue	\$12,000
Multicultural center of Kitsap county	\$250,000
Nathaniel Orr home site museum interpretive center	\$29,000
Neighborhood house rainier vista	\$200,000
New Lakewood clinic	\$350,000
Northeast community center expansion	\$250,000
Northshore performing arts center	\$1,000,000
Northwest communities education center	\$1,000,000
Oak Harbor multi-purpose community and sports facility	\$50,000
Omak grandstand	\$250,000
Orting fire station	\$250,000
Pacific Northwest salmon center	\$1,000,000
Pacific science center	\$900,000
Performing arts center (PACE)	\$500,000
Pike Place Market health center emergency repairs	\$1,000,000
Port of Quincy	\$400,000
Puget Sound freight building warehouse--Thea Foss waterway	\$2,000,000
Puyallup river walking trail	\$200,000
Rainier historical heating system	\$75,000
Red mountain	\$200,000
Relocation of Sieke Japanese gardens	\$250,000
River walk and Sammamish river restoration	\$200,000

Roslyn city hall	\$150,000
Ruth Dykeman children's center	\$27,000
Sandman historical tug restoration	\$10,000
Seattle Aquarium	\$2,000,000
Seattle community center (1115 E. Pike street)	\$13,000
Seattle mental health emerald house	\$28,000
Seward park environmental and audubon center	\$400,000
Snohomish senior center	\$150,000
Sno-Valley senior activity center kitchen	\$50,000
Sound way property preservation	\$500,000
Spokane river whitewater course	\$400,000
Sumas ballpark	\$250,000
Synthetic sportsfield partnership at Robinswood park	\$400,000
Tall ships moorage	\$300,000
Tukwila kayak and canoe launching facility	\$20,000
Undeveloped woodlands linked to interurban nature trail	\$150,000
Vancouver museum	\$125,000
Vancouver national historical reserve west barracks	\$1,000,000
Veterans memorial museum	\$100,000
Wapato Lake renovations and water quality	\$250,000
West Seattle community resource center	\$500,000
West central community center	\$500,000
West Hylebos wetlands boardwalk	\$100,000
Wilson playfield land acquisition	\$200,000
Wing Luke Asian art museum	\$2,000,000
Youth housing/drop-in center	\$400,000
Total	\$49,949,500

Appropriation:

State Building Construction Account--State	\$49,949,500
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$49,949,500

Sec. 6040. 2005 c 488 s 165 (uncodified) is amended to read as follows:

MILITARY DEPARTMENT FOR THE MILITARY DEPARTMENT
Construct Spokane Readiness Center (04-2-003)

Reappropriation:

General Fund--Federal	\$7,800,000
State Building Construction Account--State	(\$3,300,000)
	\$2,250,000
Subtotal Reappropriation	(\$11,100,000)
	<u>\$10,050,000</u>
Prior Biennia (Expenditures)	\$2,468,000
Future Biennia (Projected Costs)	\$0
TOTAL	(\$13,568,000)
	<u>\$12,518,000</u>

NEW SECTION. Sec. 6041. A new section is added to 2006 c 371 (uncodified) to read as follows:

FOR THE MILITARY DEPARTMENT
Modular Building Reutilization (08-2-001)

Appropriation:

State Building Construction Account--State	\$1,850,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$1,850,000

Sec. 6042. 2005 c 488 s 347 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION
Cama Beach - New Destinations (06-2-011)

Appropriation:

State Building Construction Account--State	(\$2,820,000) \$4,320,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$1,700,000
TOTAL	(\$4,520,000) \$6,020,000

NEW SECTION. Sec. 6043. A new section is added to 2006 c 371 (uncodified) to read as follows:

STATE CONSERVATION COMMISSION FOR THE STATE CONSERVATION COMMISSION
Land Restoration (07-1-001)

Appropriation:

State Building Construction Account--State	\$587,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$587,000

NEW SECTION. Sec. 6044. A new section is added to 2006 c 371 (uncodified) to read as follows:

DEPARTMENT OF FISH AND WILDLIFE FOR THE DEPARTMENT OF FISH AND WILDLIFE
Sinlahekin Creek Dams - Floods Damage Repair (2007-1-004)

Appropriation:

State Building Construction Account--State	\$70,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$70,000

NEW SECTION. Sec. 6045. A new section is added to 2006 c 371 (uncodified) to read as follows:

DEPARTMENT OF FISH AND WILDLIFE FOR THE DEPARTMENT OF FISH AND WILDLIFE
Region 1 Office - Complete Phase I (2007-2-009)

Appropriation:

State Building Construction Account--State	\$588,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$588,000

NEW SECTION. Sec. 6046. A new section is added to 2006 c 371 (uncodified) to read as follows:

DEPARTMENT OF NATURAL RESOURCES FOR THE DEPARTMENT OF NATURAL RESOURCES
Loomis Natural Resources Conservation Area Restoration (2007-1-004)

Appropriation:

State Building Construction Account--State	\$271,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$271,000

NEW SECTION. Sec. 6047. A new section is added to 2006 c 371 (uncodified) to read as follows:

DEPARTMENT OF NATURAL RESOURCES FOR THE DEPARTMENT OF NATURAL RESOURCES
Storm Damage (07-1-850)

Appropriation:

State Building Construction Account--State	\$282,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0

TOTAL \$282,000

NEW SECTION. Sec. 6048. A new section is added to 2006 c 371 (uncodified) to read as follows:
COMMUNITY AND TECHNICAL COLLEGE SYSTEM FOR THE COMMUNITY AND TECHNICAL COLLEGE SYSTEM
 Grays Harbor College: Riverview Education Center (07-1-850)

Appropriation:
 State Building Construction Account--State \$498,000
 Prior Biennia (Expenditures) \$0
 Future Biennia (Projected Costs) \$0
 TOTAL \$498,000

Sec. 6049. 2006 c 371 s 192 (uncodified) is amended to read as follows:
FOR THE DEPARTMENT OF AGRICULTURE
 Energy Freedom Program (06-2-851)

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

(1)(a) The appropriation is provided solely for low-interest loans to political subdivisions for renewable energy projects including the development of biofuel oilseed crushers, supporting infrastructure, and facilities. The political subdivision may negotiate an appropriate agreement with the bioenergy industry for the use of the oilseed crushers, supporting infrastructure, and facilities.

(b) For purposes of this section, political subdivision means any port district, county, city, town, special purpose district, and any other municipal corporations or quasi-municipal corporations in the state.

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

Project	Recommendation
Spokane Conservation district	((\$2,000,000)) <u>\$1,779,000</u>
Port of Warden	\$2,500,000
Odessa public development authority	((\$2,500,000)) <u>\$3,500,000</u>
(Port of Columbia county	(\$2,500,000)) <u>\$0</u>
Port of Sunnyside	\$750,000
<u>A public subdivision working with the DeRuyter Farms anaerobic digester project</u>	<u>\$1,973,000</u>
Total	((\$10,250,000)) <u>\$10,502,000</u>

(3) All agreements negotiated between the political subdivision and the bioenergy industry for use of the oilseed crushers, supporting infrastructure, or facilities funded in this section must provide for at least a fifty percent match by the industry partner. The industry match may include, but is not limited to, investments in rail, buildings, refining capacity, or seed stock.

(4) All other project funds must be disbursed prior to energy freedom loans, except where required on a matching basis by other federal or state programs.

(5) The department shall disburse loans to the political subdivision on a reimbursement basis only.

(6) The department may defer loan repayment for up to twenty-four months or until the projects start to receive revenue from operations, whichever is sooner.

(7) Upon written notice to the political subdivision, the department may suspend or cancel its loans if any of the following occur:

(a) The political subdivision fails to make satisfactory and reasonable progress to complete the project, or the department concludes the political subdivision will be unable to complete the project or any portion of it; or

(b) The political subdivision or bioenergy industry partners have made misrepresentations in any information furnished to the department or the legislature in connection with the project.

(8) In the event that any portion of the loan has been paid to the political subdivision under this section at the time of breach, or failure of the political subdivision to satisfactorily perform, the department may require that the full amount of the loan, or a portion thereof, be repaid within a period specified by the department.

(9) Future loan repayments shall be deposited into the energy freedom account created in section 6, chapter . . . (Engrossed Third Substitute House Bill No. 2939), Laws of 2006.

(10) It is the intent of the legislature to provide loans for the development of a Washington state biodiesel industry based on Washington grown oilseed. The legislature is aware that in the development of this industry, the start-up process may necessitate the use of other oilseeds until Washington state growers plant sufficient crops to support this industry. The legislature also understands the realities of weather and market conditions in this process. The conversion to maximum Washington grown oilseed must be accomplished as quickly as possible. The political subdivision shall: (a) Develop a plan for outreach to local growers and an estimate of when maximum Washington state oilseed-based production will be reached; (b) develop a goal for the political subdivision to return a portion of the biofuel to local oilseed producers; and (c) report this information to the department of agriculture by December 1, 2006. The department shall report on the implementation of this section by January 1, 2007, to the appropriate committees of the legislature.

(11) If chapter . . . (House Bill No. 1303/Senate Bill No. 5586 (cleaner energy)), Laws of 2007 is enacted, then the amounts in this section are appropriated to the department of community, trade, and economic development.

Appropriation:

Energy Freedom Account--State	((\$10,250,000))
	<u>\$10,502,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	((\$10,250,000))
	<u>\$10,502,000</u>

Sec. 6050. 2006 c 371 s 191 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

Energy Freedom Program (E3SHB No. 2939) (06-2-850)

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

(1) The appropriation is provided solely to implement the energy freedom program created in chapter . . . (Engrossed Third Substitute House Bill No. 2939), Laws of 2006. If the bill is not enacted by June 30, 2006, the appropriation shall lapse.

(2) The department shall not expend more than \$202,000 of the appropriation on administrative costs.

(3) If chapter . . . (House Bill No. 1303/Senate Bill No. 5586 (cleaner energy)), Laws of 2007 is enacted, then the amounts in this section are appropriated to the department of community, trade, and economic development.

Appropriation:

Energy Freedom Account--State	((\$6,750,000))
	<u>\$3,998,000</u>
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	((\$6,750,000))
	<u>\$3,998,000</u>

NEW SECTION. Sec. 6051. Part headings in this act are not any part of the law.

NEW SECTION. Sec. 6052. 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. 6053. 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, except for section 6033 of this act which takes effect July 1, 2007, and section 6035 of this act which takes effect June 30, 2011.

On page 1, line 1 of the title, after "budget," strike the remainder of the title and insert "making appropriations and authorizing expenditures for capital improvements; amending RCW 70.105D.070, 43.43.944, 43.155.050, and 79.17.210; amending 2005 c 488 ss 165, 347, and 955 (uncodified); amending 2006 c 371 ss 106, 191, and 192 (uncodified); reenacting and amending RCW 43.135.045 and 43.155.050; adding new sections to 2006 c 371 (uncodified); creating new sections; providing effective dates; providing expiration dates; and declaring an emergency."

as the same is herewith transmitted.

Thomas Hoemann, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendments to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1092, and asked the Senate for a conference thereon. The Speaker (Representative Hudgins presiding) appointed the following members as Conferees: Representatives Fromhold, Ormsby and McDonald.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5009, By Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Haugen, Hatfield, Poulsen, Sheldon, Holmquist, Rasmussen, Schoesler, Kline and Shin)

Exempting biodiesel fuel used for nonhighway farm use from sales and use tax.

The bill was read the second time.

Representative Hunter moved the adoption of amendment (625):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 82.08.865 and 2006 c 7 s 1 are each amended to read as follows:

(1) The tax levied by RCW 82.08.020 does not apply to sales of diesel fuel, biodiesel fuel, or aircraft fuel (~~as defined in RCW 82.42.010(5))~~, to a farm fuel user for nonhighway use. This exemption applies to a fuel blend if all of the component fuels of the blend would otherwise be exempt under this subsection if the component fuels were sold as separate products. This exemption is available only if the buyer provides the seller with an exemption certificate in a form and manner prescribed by the department. Fuel used for space or water heating for human habitation is not exempt under this section.

(2) The definitions in RCW 82.04.213 and this subsection apply to this section.

(a) "Aircraft fuel" is defined as provided in RCW 82.42.010.

(b) "Biodiesel fuel" is defined as provided in RCW 19.112.010.

(c) "Diesel fuel" is defined as provided in 26 U.S.C. 4083, as amended or renumbered as of January 1, 2006.

~~((b))~~ (d) "Farm fuel user" means: (i) A farmer; or (ii) a person who provides horticultural services for farmers, such as soil preparation services, crop cultivation services, and crop harvesting services.

Sec. 2. RCW 82.12.865 and 2006 c 7 s 2 are each amended to read as follows:

(1) The provisions of this chapter do not apply with respect to the nonhighway use of diesel fuel, biodiesel fuel, or aircraft fuel (~~as defined in RCW 82.42.010(5))~~, by a farm fuel user. This exemption applies to a fuel blend if all of the component fuels of the blend would otherwise be exempt under this subsection if the component fuels were acquired as separate products. Fuel used for space or water heating for human habitation is not exempt under this section.

(2) The definitions in RCW 82.08.865 apply to this section.

NEW SECTION. Sec. 3. 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."

Representatives Hunter and Orcutt spoke in favor of the adoption of the amendment.

The amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House was placed on final passage.

Representatives Hunter and Orcutt spoke in favor of passage of the bill.

The Speaker (Representative Hudgins presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5009, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5009, as amended by the House and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Condotta - 1.

SUBSTITUTE SENATE BILL NO. 5009, as amended by the House, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 5164, By Senate Committee on Ways & Means (originally sponsored by Senators Jacobsen, Hobbs, Shin, Rasmussen, Kilmer and Franklin)

Expanding the veterans conservation corps program.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Seaquist and Priest spoke in favor of passage of the bill.

The Speaker (Representative Hudgins presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5164.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5164 and the bill passed the House

by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Curtis, Darnelle, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Condotta - 1.

SECOND SUBSTITUTE SENATE BILL NO. 5164, having received the necessary constitutional majority, was declared passed.

MESSAGES FROM THE SENATE

April 18, 2007

Mr. Speaker:

The President has signed:

ENGROSSED SENATE BILL NO. 5063,
 SUBSTITUTE SENATE BILL NO. 5074,
 SUBSTITUTE SENATE BILL NO. 5202,
 SUBSTITUTE SENATE BILL NO. 5227,
 SUBSTITUTE SENATE BILL NO. 5320,
 SUBSTITUTE SENATE BILL NO. 5435,
 SENATE BILL NO. 5572,
 SUBSTITUTE SENATE BILL NO. 5647,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5788,
 SUBSTITUTE SENATE BILL NO. 5881,
 SUBSTITUTE SENATE BILL NO. 5937,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5958,
 SUBSTITUTE SENATE BILL NO. 5987,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6099,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5100,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6117,
 ENGROSSED SENATE BILL NO. 6128,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

April 18, 2007

Mr. Speaker:

The President has signed:

SUBSTITUTE SENATE BILL NO. 5248,
 SENATE BILL NO. 5552,
 ENGROSSED SENATE BILL NO. 5669,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5843,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5894,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6001,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

April 18, 2007

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 5092,
 SENATE BILL NO. 5551,
 SUBSTITUTE SENATE BILL NO. 5634,
 SUBSTITUTE SENATE BILL NO. 5639,
 SECOND SUBSTITUTE SENATE BILL NO. 5652,
 SUBSTITUTE SENATE BILL NO. 5653,

SUBSTITUTE SENATE BILL NO. 5674,
 ENGROSSED SENATE BILL NO. 5675,
 SUBSTITUTE SENATE BILL NO. 5702,
 SUBSTITUTE SENATE BILL NO. 5718,
 SUBSTITUTE SENATE BILL NO. 5721,
 SUBSTITUTE SENATE BILL NO. 5731,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5770,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5774,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5828,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5836,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5859,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5862,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5915,
 SENATE BILL NO. 5926,
 SECOND SUBSTITUTE SENATE BILL NO. 5995,
 SECOND SUBSTITUTE SENATE BILL NO. 6016,
 SENATE BILL NO. 6119,
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 8011,

The Speaker (Representative Lovick presiding) assumed the chair.

MESSAGE FROM THE SENATE

April 16, 2007

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5930 and asks the House to recede therefrom, and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the House insisted on its position regarding the House's amendments to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5930 and asked for a conference thereon. The Speaker appointed the following members as Conferees: Representatives Cody, Morrell and Hinkle.

MESSAGE FROM THE SENATE

April 16, 2007

Mr. Speaker:

The Senate refuses to concur in the House amendment to SUBSTITUTE SENATE BILL NO. 5340 and asks the House to recede therefrom, and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the rules were suspended and SUBSTITUTE SENATE BILL NO. 5340 was returned to second reading for purpose of amendment.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5340, By Senate Committee on Judiciary (originally sponsored by Senators Kline, Swecker, Fairley, Kohl-Welles, Shin, Pridemore, McAuliffe, Regala, Murray, Spanel, Franklin, Rockefeller, Kauffman and Keiser)

Defining disability in the Washington law against discrimination.

The bill was read the second time.

Representative Goodman moved the adoption of amendment (877):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that the supreme court, in its opinion in *McClarty v. Totem Electric*, 157 Wn.2d 214, 137 P.3d 844 (2006), failed to recognize that the Law Against Discrimination affords to state residents protections that are wholly independent of those afforded by the federal Americans with Disabilities Act of 1990, and that the law against discrimination has provided such protections for many years prior to passage of the federal act.

Sec. 2. RCW 49.60.040 and 2006 c 4 s 4 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Person" includes one or more individuals, partnerships, associations, organizations, corporations, cooperatives, legal representatives, trustees and receivers, or any group of persons; it includes any owner, lessee, proprietor, manager, agent, or employee, whether one or more natural persons; and further includes any political or civil subdivisions of the state and any agency or instrumentality of the state or of any political or civil subdivision thereof;

(2) "Commission" means the Washington state human rights commission;

(3) "Employer" includes any person acting in the interest of an employer, directly or indirectly, who employs eight or more persons, and does not include any religious or sectarian organization not organized for private profit;

(4) "Employee" does not include any individual employed by his or her parents, spouse, or child, or in the domestic service of any person;

(5) "Labor organization" includes any organization which exists for the purpose, in whole or in part, of dealing with employers concerning grievances or terms or conditions of employment, or for other mutual aid or protection in connection with employment;

(6) "Employment agency" includes any person undertaking with or without compensation to recruit, procure, refer, or place employees for an employer;

(7) "Marital status" means the legal status of being married, single, separated, divorced, or widowed;

(8) "National origin" includes "ancestry";

(9) "Full enjoyment of" includes the right to purchase any service, commodity, or article of personal property offered or sold on, or by, any establishment to the public, and the admission of any person to accommodations, advantages, facilities, or privileges of any place of public resort, accommodation, assemblage, or amusement, without acts directly or indirectly causing persons of any particular race, creed, color, sex, sexual orientation, national origin, or with any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a ~~((disabled))~~ person with a disability, to be treated as not welcome, accepted, desired, or solicited;

(10) "Any place of public resort, accommodation, assemblage, or amusement" includes, but is not limited to, any place, licensed or unlicensed, kept for gain, hire, or reward, or where charges are made for admission, service, occupancy, or use of any property or facilities, whether conducted for the entertainment, housing, or lodging of transient guests, or for the benefit, use, or accommodation of those seeking health, recreation, or rest, or for the burial or other disposition of human remains, or for the sale of goods, merchandise, services, or personal property, or for the rendering of personal services, or for public conveyance or transportation on land, water, or in the air, including the stations and terminals thereof and the garaging of vehicles, or where food or beverages of any kind are sold for consumption on the premises, or where public amusement, entertainment, sports, or recreation of any kind is offered with or without charge, or where medical service or care is made available, or where the public gathers, congregates, or assembles for amusement, recreation, or public purposes, or public halls, public

elevators, and public washrooms of buildings and structures occupied by two or more tenants, or by the owner and one or more tenants, or any public library or educational institution, or schools of special instruction, or nursery schools, or day care centers or children's camps: PROVIDED, That nothing contained in this definition shall be construed to include or apply to any institute, bona fide club, or place of accommodation, which is by its nature distinctly private, including fraternal organizations, though where public use is permitted that use shall be covered by this chapter; nor shall anything contained in this definition apply to any educational facility, columbarium, crematory, mausoleum, or cemetery operated or maintained by a bona fide religious or sectarian institution;

(11) "Real property" includes buildings, structures, dwellings, real estate, lands, tenements, leaseholds, interests in real estate cooperatives, condominiums, and hereditaments, corporeal and incorporeal, or any interest therein;

(12) "Real estate transaction" includes the sale, appraisal, brokering, exchange, purchase, rental, or lease of real property, transacting or applying for a real estate loan, or the provision of brokerage services;

(13) "Dwelling" means any building, structure, or portion thereof that is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land that is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof;

(14) "Sex" means gender;

(15) "Sexual orientation" means heterosexuality, homosexuality, bisexuality, and gender expression or identity. As used in this definition, "gender expression or identity" means having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to that person at birth;

(16) "Aggrieved person" means any person who: (a) Claims to have been injured by an unfair practice in a real estate transaction; or (b) believes that he or she will be injured by an unfair practice in a real estate transaction that is about to occur;

(17) "Complainant" means the person who files a complaint in a real estate transaction;

(18) "Respondent" means any person accused in a complaint or amended complaint of an unfair practice in a real estate transaction;

(19) "Credit transaction" includes any open or closed end credit transaction, whether in the nature of a loan, retail installment transaction, credit card issue or charge, or otherwise, and whether for personal or for business purposes, in which a service, finance, or interest charge is imposed, or which provides for repayment in scheduled payments, when such credit is extended in the regular course of any trade or commerce, including but not limited to transactions by banks, savings and loan associations or other financial lending institutions of whatever nature, stock brokers, or by a merchant or mercantile establishment which as part of its ordinary business permits or provides that payment for purchases of property or service therefrom may be deferred;

(20) "Families with children status" means one or more individuals who have not attained the age of eighteen years being domiciled with a parent or another person having legal custody of such individual or individuals, or with the designee of such parent or other person having such legal custody, with the written permission of such parent or other person. Families with children status also applies to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of eighteen years;

(21) "Covered multifamily dwelling" means: (a) Buildings consisting of four or more dwelling units if such buildings have one or more elevators; and (b) ground floor dwelling units in other buildings consisting of four or more dwelling units;

(22) "Premises" means the interior or exterior spaces, parts, components, or elements of a building, including individual dwelling units and the public and common use areas of a building;

(23) "Dog guide" means a dog that is trained for the purpose of guiding blind persons or a dog that is trained for the purpose of assisting hearing impaired persons;

(24) "Service animal" means an animal that is trained for the purpose of assisting or accommodating a ~~((disabled person's))~~ sensory, mental, or physical disability of a person with a disability.

(25)(a) "Disability" means the presence of a sensory, mental, or physical impairment that:

(i) Is medically cognizable or diagnosable; or

(ii) Exists as a record or history; or

(iii) Is perceived to exist whether or not it exists in fact.

(b) A disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated, or whether or not it limits the ability to work generally or work at a particular job or whether or not it limits any other activity within the scope of this chapter.

(c) For purposes of this definition, "impairment" includes, but is not limited to:

(i) Any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitor-urinary, hemic and lymphatic, skin, and endocrine; or

(ii) Any mental, developmental, traumatic, or psychological disorder, including but not limited to cognitive limitation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

(d) Only for the purposes of qualifying for reasonable accommodation in employment, an impairment must be known or shown through an interactive process to exist in fact and:

(i) The impairment must have a substantially limiting effect upon the individual's ability to perform his or her job, the individual's ability to apply or be considered for a job, or the individual's access to equal benefits, privileges, or terms or conditions of employment; or

(ii) The employee must have put the employer on notice of the existence of an impairment, and medical documentation must establish a reasonable likelihood that engaging in job functions without an accommodation would aggravate the impairment to the extent that it would create a substantially limiting effect.

(e) For purposes of (d) of this subsection, a limitation is not substantial if it has only a trivial effect.

NEW SECTION. Sec. 3. This act is remedial and retroactive, and applies to all causes of action occurring before July 6, 2006, and to all causes of action occurring on or after the effective date of this act."

Correct the title.

Representatives Goodman and Rodne spoke in favor of the adoption of the amendment.

The amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House was placed on final passage.

Representative Goodman spoke in favor of passage of the bill.

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5340, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5340, as amended by the House and the bill passed the House by the following vote: Yeas - 62, Nays - 35, Absent - 0, Excused - 1.

Voting yea: Representatives Appleton, Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Kagi, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Williams, Wood and Mr. Speaker - 62.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buri, Chandler, Crouse, Curtis, DeBolt, Dunn, Ericksen, Hailey, Haler, Hankins, Hinkle, Jarrett, Kelley, Kretz, Kristiansen, McCune, McDonald, Newhouse, Orcutt, Pearson, Priest, Roach, Rodne, Ross, Schindler, Skinner, Strow, Sump, Walsh and Warnick - 35.

Excused: Representative Condotta - 1.

SUBSTITUTE SENATE BILL NO. 5340, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 14, 2007

Mr. Speaker:

The Senate refuses to concur in the House amendment to SECOND SUBSTITUTE SENATE BILL NO. 5790 and asks the House to recede therefrom, and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the rules were suspended and SECOND SUBSTITUTE SENATE BILL NO. 5790 was returned to second reading for purpose of amendment.

SECOND READING

SECONDSUBSTITUTE SENATE BILL NO. 5790, By Senate Committee on Ways & Means (originally sponsored by Senators Hobbs, Rockefeller, Rasmussen, Fairley, McAuliffe, Kohl-Welles, Pridemore, Hatfield, Clements, Jacobsen and Shin)

Regarding skill centers.

The bill was read the second time.

Representative Quall moved the adoption of amendment (874):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that student access to programs offered at skill centers can help prepare them for careers, apprenticeships, and postsecondary education. The legislature further finds that current limits on how school districts and skill centers report full-time equivalent students and the time students are served provide a disincentive for school districts to send their

students to skill centers. The legislature further finds that there are barriers to providing access to students in rural and remote areas but that there are opportunities to do so with satellite and branch campus programs, distance and online learning programs, and collaboration with higher education, business, and labor. The legislature further finds that skill centers provide opportunities for dropout prevention and retrieval programs by offering programs that accommodate students' work schedules and provide credit retrieval opportunities. The legislature further finds that implementing the recommendations from the study by the workforce training and education coordinating board will enhance skill center programs and student access to those programs.

NEW SECTION. Sec. 2. A skill center is a regional career and technical education partnership established to provide access to comprehensive industry-defined career and technical programs of study that prepare students for careers, employment, apprenticeships, and postsecondary education. A skill center is operated by a host school district and governed by an administrative council in accordance with a cooperative agreement.

NEW SECTION. Sec. 3. Beginning in the 2007-08 school year and thereafter, students attending skill centers shall be funded for all classes at the skill center and the sending districts, up to one and six-tenths full-time equivalents or as determined in the omnibus appropriations act. The office of the superintendent of public instruction shall develop procedures to ensure that the school district and the skill center report no student for more than one and six-tenths full-time equivalent students combining both their high school enrollment and skill center enrollment. Additionally, the office of the superintendent of public instruction shall develop procedures for determining the appropriate share of the full-time equivalent enrollment count between the resident high school and skill center.

NEW SECTION. Sec. 4. (1) The office of the superintendent of public instruction shall review and revise the guidelines for skill centers to encourage skill center programs. The superintendent, in cooperation with the workforce training and education coordinating board, skill center directors, and the Washington association for career and technical education, shall review and revise the existing skill centers' policy guidelines and create and adopt rules governing skill centers as follows:

(a) The threshold enrollment at a skill center shall be revised so that a skill center program need not have a minimum of seventy percent of its students enrolled on the skill center core campus in order to facilitate serving rural students through expansion of skill center programs by means of satellite programs or branch campuses;

(b) The developmental planning for branch campuses shall be encouraged. Underserved rural areas or high-density areas may partner with an existing skill center to create satellite programs or a branch campus. Once a branch campus reaches sufficient enrollment to become self-sustaining, it may become a separate skill center or remain an extension of the founding skill center; and

(c) Satellite and branch campus programs shall be encouraged to address high-demand fields.

(2) Rules adopted under this section shall allow for innovative models of satellite and branch campus programs, and such programs shall not be limited to those housed in physical buildings.

(3) The superintendent of public instruction shall develop and deliver a ten-year capital plan for legislative review before implementation.

(4) Subject to available funding, the superintendent shall:

(a) Conduct approved feasibility studies for serving noncooperative rural and high-density area students in their geographic areas; and

(b) Develop a statewide master plan that identifies standards and resources needed to create a technology infrastructure for connecting all skill centers to the K-20 network.

NEW SECTION. Sec. 5. Subject to available funding, skill centers shall provide access to late afternoon and evening sessions and summer school programs, to rural and high-density area students aligned with regionally identified high-demand occupations. When

possible, the programs shall be specifically targeted for credit retrieval, dropout prevention and intervention for at-risk students, and retrieval of dropouts. Skill centers that receive funding for these activities must participate in an evaluation that is designed to quantify results and identify best practices, collaborate with local community partners in providing a comprehensive program, and provide matching funds.

NEW SECTION. Sec. 6. (1) The superintendent of public instruction shall establish and support skill centers of excellence in key economic sectors of regional significance. The superintendent shall broker the development of skill centers of excellence and identify their roles in developing curriculum and methodologies for reporting skill center course equivalencies for purposes of high school graduation.

(2) The skill centers of excellence are established, the superintendent of public instruction shall develop and seek funding for a running start for career and technical education grant program to develop and implement career and technical programs of study targeted to regionally determined high-demand occupations. Grant recipients should be partnerships of skill centers of excellence, community college centers of excellence, tech-prep programs, industry advisory committees, area workforce development councils, and skill panels in the related industry. Grant recipients should be expected to develop and assist in the replication of model career and technical education programs of study. The career and technical education programs of study developed should be consistent with the expectations in the applicable federal law.

NEW SECTION. Sec. 7. The superintendent of public instruction shall assign at least one full-time equivalent staff position within the office of the superintendent of public instruction to serve as the director of skill centers.

Sec. 8. RCW 84.52.068 and 2005 c 514 s 1104 are each amended to read as follows:

(1) A portion of the proceeds of the state property tax levy shall be deposited into the student achievement fund as provided in this section.

(2)(a) The amount of the deposit shall be based upon the average number of full-time equivalent students in the school districts during the previous school year as reported to the office of the superintendent of public instruction by August 31st of the previous school year.

(b) For the 2004-2005 through 2007-2008 school years, an annual amount equal to two hundred fifty-four dollars per full-time equivalent student in all school districts shall be deposited in the student achievement fund.

(c) For the 2008-2009 school year, an annual amount equal to two hundred sixty-five dollars per full-time equivalent student in all school districts shall be deposited in the student achievement fund.

(d) For the 2009-2010 school year, an annual amount equal to two hundred seventy-seven dollars per full-time equivalent student in all school districts shall be deposited in the student achievement fund.

(e) For the 2010-2011 school year and each year thereafter, an annual amount equal to two hundred seventy-eight dollars per full-time equivalent student in all school districts shall be deposited in the student achievement fund.

(f) The school district annual amounts shall be deposited based on the monthly apportionment schedule as defined in RCW 28A.510.250. The office of the superintendent of public instruction shall notify the department of the monthly amounts to be deposited into the student achievement fund to meet the apportionment schedule. The superintendent of public instruction shall ensure that moneys generated by skill center students is returned to skill centers.

NEW SECTION. Sec. 9. Sections 2 through 7 of this act constitute a new chapter in Title 28A RCW."

Representatives Quall and Priest spoke in favor of the adoption of the amendment.

The amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House was placed on final passage.

Representatives Quall and Priest spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5790, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5790, as amended by the House and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Condotta - 1.

SECOND SUBSTITUTE SENATE BILL NO. 5790, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2007

Mr. Speaker:

The Senate receded from its amendment to SUBSTITUTE HOUSE BILL NO. 1098. Under suspension of the rules the bill was returned to second reading for purpose of amendment. The Senate adopted the following amendment and passed the bill as amended by the Senate:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70.95M.115 and 2006 c 231 s 2 are each amended to read as follows:

(1) Beginning July 1, 2007, a person who is known to be pregnant or who is under three years of age shall not be vaccinated with a mercury-containing vaccine or injected with a mercury-containing product that contains more than 0.5 micrograms of mercury per 0.5 milliliter dose.

(2) Notwithstanding subsection (1) of this section, an influenza vaccine may contain up to 1.0 micrograms of mercury per 0.5 milliliter dose.

(3) The secretary of the department of health may, upon the secretary's or local public health officer's declaration of ((a public health emergency)) an outbreak of vaccine-preventable disease or of a shortage of vaccine that complies with subsection (1) or (2) of this

section, suspend the requirements of this section for the duration of the ((emergency)) outbreak or shortage. A person who is known to be pregnant or lactating or a parent or legal guardian of a child under eighteen years of age shall be informed if the person or child is to be vaccinated or injected with any mercury-containing product that contains more than the mercury limits per dose in subsections (1) and (2) of this section.

(4) All vaccines and products referenced under this section must meet food and drug administration licensing requirements."

On page 1, line 1 of the title, after "outbreaks;" strike the remainder of the title and insert "and amending RCW 70.95M.115."

and the same is herewith transmitted.

Thomas Hoemann, Secretary

There being no objection, the House concurred in the Senate amendment to SUBSTITUTE HOUSE BILL NO. 1098 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Cody and Hinkle spoke in favor the passage of the bill.

COLLOQUY

Representative Hinkle: "Substitute House Bill No. 1098 requires that certain persons be informed when they will be given vaccines with mercury about stated limits. Is it intended that these notices are required only when the mercury limits are suspended because of a declared outbreak of a vaccine-preventable disease or a vaccine shortage?"

Representative Cody: "Yes. The new language allowing the Secretary of Health to declare the outbreak or shortage also contains the notice requirement. With some exceptions, providers are allowed to use these particular mercury-containing vaccines only during the suspension period, and during the suspension period they must inform a pregnant or lactating patient who is to be vaccinated, or inform the parent when the patient to be vaccinated is a minor."

The Speaker (Representative Lovick presiding) stated the question before the House to be final passage of Substitute House Bill No. 1098, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1098, as amended by the Senate and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall,

Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Condotta - 1.

SUBSTITUTE HOUSE BILL NO. 1098, as amended by the Senate having received the constitutional majority, was declared passed.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5097, By Senate Committee on Ways & Means (originally sponsored by Senators Rockefeller, McAuliffe, Swecker, Kastama, Regala, Weinstein, Eide, Oemig, Pridemore, Kohl-Welles, Keiser, Shin, Berkey, Murray, Kline and Rasmussen)

Regarding safe schools.

The bill was read the second time.

Representative Curtis moved the adoption of amendment (878):

On page 2, line 15, after "plans." strike "Each" and insert "Subject to amounts appropriated for this specific purpose, each"

On page 3, line 7, after "(4))" strike "School" and insert "Subject to amounts appropriated for this specific purpose, school"

On page 3, line 22, after "(4)" strike "School" and insert "Subject to amounts appropriated for this specific purpose, school"

Representatives Curtis and Quall spoke in favor of the adoption of the amendment.

The amendment was adopted.

Representative Curtis moved the adoption of amendment (875):

On page 4, beginning on line 27, strike all of Section 3

Correct the title

Representatives Curtis and Quall spoke in favor of the adoption of the amendment.

The amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House was placed on final passage.

Representatives DeBolt, Quall, Curtis and Wallace spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5097, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5097, as amended by the House and the bill

passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Condotta - 1.

SUBSTITUTE SENATE BILL NO. 5097, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 10, 2007

Mr. Speaker:

The Senate has passed ENGROSSED HOUSE BILL NO. 2388 with the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 35.57.010 and 2002 c 363 s 1 are each amended to read as follows:

(1)(a) The legislative authority of any town or city located in a county with a population of less than one million may create a public facilities district.

(b) The legislative authorities of any contiguous group of towns or cities located in a county or counties each with a population of less than one million may enter an agreement under chapter 39.34 RCW for the creation and joint operation of a public facilities district.

(c) The legislative authority of any town or city, or any contiguous group of towns or cities, located in a county with a population of less than one million and the legislative authority of a contiguous county, or the legislative authority of the county or counties in which the towns or cities are located, may enter into an agreement under chapter 39.34 RCW for the creation and joint operation of a public facilities district.

(d) The legislative authority of a city located in a county with a population greater than one million may create a public facilities district, when the city has a total population of less than one hundred fifteen thousand but greater than eighty thousand and commences construction of a regional center prior to July 1, 2009.

(2)(a) A public facilities district shall be coextensive with the boundaries of the city or town or contiguous group of cities or towns that created the district.

(b) A public facilities district created by an agreement between a town or city, or a contiguous group of towns or cities, and a contiguous county or the county in which they are located, shall be coextensive with the boundaries of the towns or cities, and the boundaries of the county or counties as to the unincorporated areas of the county or counties. The boundaries shall not include incorporated towns or cities that are not parties to the agreement for the creation and joint operation of the district.

(3)(a) A public facilities district created by a single city or town shall be governed by a board of directors consisting of five members selected as follows: (i) Two members appointed by the legislative authority of the city or town; and (ii) three members appointed by

legislative authority based on recommendations from local organizations. The members appointed under (a)(i) of this subsection, shall not be members of the legislative authority of the city or town. The members appointed under (a)(ii) of this subsection, shall be based on recommendations received from local organizations that may include, but are not limited to the local chamber of commerce, local economic development council, and local labor council. The members shall serve four-year terms. Of the initial members, one must be appointed for a one-year term, one must be appointed for a two-year term, one must be appointed for a three-year term, and the remainder must be appointed for four-year terms.

(b) A public facilities district created by a contiguous group of cities and towns shall be governed by a board of directors consisting of seven members selected as follows: (i) Three members appointed by the legislative authorities of the cities and towns; and (ii) four members appointed by the legislative authority based on recommendations from local organizations. The members appointed under (b)(i) of this subsection shall not be members of the legislative authorities of the cities and towns. The members appointed under (b)(ii) of this subsection, shall be based on recommendations received from local organizations that include, but are not limited to the local chamber of commerce, local economic development council, local labor council, and a neighborhood organization that is directly affected by the location of the regional center in their area. The members of the board of directors shall be appointed in accordance with the terms of the agreement under chapter 39.34 RCW for the joint operation of the district and shall serve four-year terms. Of the initial members, one must be appointed for a one-year term, one must be appointed for a two-year term, one must be appointed for a three-year term, and the remainder must be appointed for four-year terms.

(c) A public facilities district created by a town or city, or a contiguous group of towns or cities, and a contiguous county or the county or counties in which they are located, shall be governed by a board of directors consisting of seven members selected as follows: (i) Three members appointed by the legislative authorities of the cities, towns, and county; and (ii) four members appointed by the legislative authority based on recommendations from local organizations. The members appointed under (c)(i) of this subsection shall not be members of the legislative authorities of the cities, towns, or county. The members appointed under (c)(ii) of this subsection shall be based on recommendations received from local organizations that include, but are not limited to, the local chamber of commerce, the local economic development council, the local labor council, and a neighborhood organization that is directly affected by the location of the regional center in their area. The members of the board of directors shall be appointed in accordance with the terms of the agreement under chapter 39.34 RCW for the joint operation of the district and shall serve four-year terms. Of the initial members, one must be appointed for a one-year term, one must be appointed for a two-year term, one must be appointed for a three-year term, and the remainder must be appointed for four-year terms.

(4) A public facilities district is a municipal corporation, an independent taxing "authority" within the meaning of Article VII, section 1 of the state Constitution, and a "taxing district" within the meaning of Article VII, section 2 of the state Constitution.

(5) A public facilities district shall constitute a body corporate and shall possess all the usual powers of a corporation for public purposes as well as all other powers that may now or hereafter be specifically conferred by statute, including, but not limited to, the authority to hire employees, staff, and services, to enter into contracts, and to sue and be sued.

(6) A public facilities district may acquire and transfer real and personal property by lease, sublease, purchase, or sale. No direct or collateral attack on any public facilities district purported to be authorized or created in conformance with this chapter may be commenced more than thirty days after creation by the city and/or county legislative authority.

Sec. 2. RCW 82.14.390 and 2006 c 298 s 1 are each amended to read as follows:

(1) Except as provided in subsection (6) of this section, the governing body of a public facilities district (a) created before July 31, 2002, under chapter 35.57 or 36.100 RCW that commences

construction of a new regional center, or improvement or rehabilitation of an existing new regional center, before January 1, 2004~~(7-07)~~; (b) created before July 1, 2006, under chapter 35.57 RCW in a county or counties in which there are no other public facilities districts on June 7, 2006, and in which the total population in the public facilities district is greater than ninety thousand that commences construction of a new regional center before February 1, 2007; (c) created under the authority of RCW 35.57.010(1)(d); or (d) created before September 1, 2007, under chapter 35.57 or 36.100 RCW, in a county or counties in which there are no other public facilities districts on the effective date of this act, and in which the total population in the public facilities district is greater than seventy thousand, that commences construction of a new regional center before January 1, 2009, may impose a sales and use tax in accordance with the terms of this chapter. The tax is in addition to other taxes authorized by law and shall be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the public facilities district. The rate of tax shall not exceed 0.033 percent of the selling price in the case of a sales tax or value of the article used in the case of a use tax.

(2) The tax imposed under subsection (1) of this section shall be deducted from the amount of tax otherwise required to be collected or paid over to the department of revenue under chapter 82.08 or 82.12 RCW. The department of revenue shall perform the collection of such taxes on behalf of the county at no cost to the public facilities district.

(3) No tax may be collected under this section before August 1, 2000. The tax imposed in this section shall expire when the bonds issued for the construction of the regional center and related parking facilities are retired, but not more than twenty-five years after the tax is first collected.

(4) Moneys collected under this section shall only be used for the purposes set forth in RCW 35.57.020 and must be matched with an amount from other public or private sources equal to thirty-three percent of the amount collected under this section, provided that amounts generated from nonvoter approved taxes authorized under chapter 35.57 RCW or nonvoter approved taxes authorized under chapter 36.100 RCW shall not constitute a public or private source. For the purpose of this section, public or private sources includes, but is not limited to cash or in-kind contributions used in all phases of the development or improvement of the regional center, land that is donated and used for the siting of the regional center, cash or in-kind contributions from public or private foundations, or amounts attributed to private sector partners as part of a public and private partnership agreement negotiated by the public facilities district.

(5) The combined total tax levied under this section shall not be greater than 0.033 percent. If both a public facilities district created under chapter 35.57 RCW and a public facilities district created under chapter 36.100 RCW impose a tax under this section, the tax imposed by a public facilities district created under chapter 35.57 RCW shall be credited against the tax imposed by a public facilities district created under chapter 36.100 RCW.

(6) A public facilities district created under chapter 36.100 RCW is not eligible to impose the tax under this section if the legislative authority of the county where the public facilities district is located has imposed a sales and use tax under RCW 82.14.0485 or 82.14.0494.

NEW SECTION. Sec. 3. A new section is added to chapter 82.14 RCW to read as follows:

(1) In a county with a population under three hundred thousand, the governing body of a public facilities district, which is created before August 1, 2001, under chapter 35.57 RCW or before January 1, 2000, under chapter 36.100 RCW, in which the total population in the public facilities district is greater than ninety thousand and less than one hundred thousand that commences improvement or rehabilitation of an existing regional center, to be used for community events, and artistic, musical, theatrical, or other cultural exhibitions, presentations, or performances and having two thousand or fewer permanent seats, before January 1, 2009, may impose a sales and use tax in accordance with the terms of this chapter. The tax is in addition to other taxes authorized by law and shall be collected from

those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the public facilities district. The rate of tax may not exceed 0.033 percent of the selling price in the case of a sales tax or value of the article used in the case of a use tax.

(2) The tax imposed under subsection (1) of this section shall be deducted from the amount of tax otherwise required to be collected or paid over to the department under chapter 82.08 or 82.12 RCW. The department shall perform the collection of such taxes on behalf of the county at no cost to the public facilities district.

(3) The tax imposed in this section shall expire when the bonds issued for the construction of the regional center and related parking facilities are retired, but not more than twenty-five years after the tax is first collected.

(4) Moneys collected under this section shall only be used for the purposes set forth in RCW 35.57.020 and must be matched with an amount from other public or private sources equal to thirty-three percent of the amount collected under this section, provided that amounts generated from nonvoter-approved taxes authorized under chapter 35.57 RCW may not constitute a public or private source. For the purpose of this section, public or private sources include, but are not limited to cash or in-kind contributions used in all phases of the development or improvement of the regional center, land that is donated and used for the siting of the regional center, cash or in-kind contributions from public or private foundations, or amounts attributed to private sector partners as part of a public and private partnership agreement negotiated by the public facilities district."

On page 1, line 3 of the title, after "district," strike the remainder of the title and insert "amending RCW 35.57.010 and 82.14.390; and adding a new section to chapter 82.14 RCW."

as the same is herewith transmitted.

Thomas Hoemann, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House refused to concur in the Senate amendments to ENGROSSED HOUSE BILL NO. 2388, and asked the Senate to recede.

MESSAGE FROM THE SENATE

April 17, 2007

Mr. Speaker:

The Senate insists on its position to SUBSTITUTE HOUSE BILL NO. 1909 and asks the House to concur, and the same is herewith transmitted.

Thomas Hoemann, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House insisted on its position regarding on its position regarding Senate amendments to SUBSTITUTE HOUSE BILL NO. 1909 and again asked the Senate to recede therefrom.

MESSAGE FROM THE SENATE

April 17, 2007

Mr. Speaker:

The Senate refuses to concur in the House amendment to ENGROSSED SUBSTITUTE SENATE BILL NO. 5317 and asks the House to recede therefrom, and the same is herewith transmitted.

Thomas Hoemann, Secretary

HOUSE AMENDMENT TO SENATE BILL

There being no objection, the rules were suspended and ENGROSSED SUBSTITUTE SENATE BILL NO. 5317 was returned to second reading for purpose of amendment.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5317, By Senate Committee on Human Services & Corrections (originally sponsored by Senators Kohl-Welles, Brandland, Hargrove, Stevens, Regala and McAuliffe)

Creating additional safeguards for child care.

Representative Kagi moved the adoption of amendment (879):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.215.005 and 2006 c 265 s 101 are each amended to read as follows:

(1) The legislature recognizes that:

(a) Parents are their children's first and most important teachers and decision makers;

(b) Research across disciplines now demonstrates that what happens in the earliest years makes a critical difference in children's readiness to succeed in school and life;

(c) Washington's competitiveness in the global economy requires a world-class education system that starts early and supports life-long learning;

(d) Washington state currently makes substantial investments in voluntary child care and early learning services and supports, but because services are fragmented across multiple state agencies, and early learning providers lack the supports and incentives needed to improve the quality of services they provide, many parents have difficulty accessing high quality early learning services;

(e) A more cohesive and integrated voluntary early learning system would result in greater efficiencies for the state, increased partnership between the state and the private sector, improved access to high quality early learning services, and better employment and early learning outcomes for families and all children.

(2) The legislature finds that the early years of a child's life are critical to the child's healthy brain development and that the quality of caregiving during the early years can significantly impact the child's intellectual, social, and emotional development.

(3) The purpose of this chapter is:

(a) To establish the department of early learning;

(b) To coordinate and consolidate state activities relating to child care and early learning programs;

(c) To safeguard and promote the health, safety, and well-being of children receiving child care and early learning assistance, which is paramount over the right of any person to provide care;

(d) To provide tools to promote the hiring of suitable providers of child care by:

(i) Providing parents with access to information regarding child care providers;

(ii) Providing parents with child care licensing action histories regarding child care providers; and

(iii) Requiring background checks of applicants for employment in any child care facility licensed or regulated under current law;

(e) To promote linkages and alignment between early learning programs and elementary schools and support the transition of children and families from prekindergarten environments to kindergarten;

~~((e))~~ (f) To promote the development of a sufficient number and variety of adequate child care and early learning facilities, both public and private; and

~~((f))~~ (g) To license agencies and to assure the users of such agencies, their parents, the community at large and the agencies

themselves that adequate minimum standards are maintained by all child care and early learning facilities.

(4) This chapter does not expand the state's authority to license or regulate activities or programs beyond those licensed or regulated under existing law.

Sec. 2. RCW 43.215.010 and 2006 c 265 s 102 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agency" means any person, firm, partnership, association, corporation, or facility that provides child care and early learning services outside a child's own home and includes the following irrespective of whether there is compensation to the agency:

(a) "Child day care center" means an agency that regularly provides child day care and early learning services for a group of children for periods of less than twenty-four hours;

(b) "Early learning" includes but is not limited to programs and services for child care; state, federal, private, and nonprofit preschool; child care subsidies; child care resource and referral; parental education and support; and training and professional development for early learning professionals;

(c) "Family day care provider" means a child day care provider who regularly provides child day care and early learning services for not more than twelve children in the provider's home in the family living quarters;

(d) "Service provider" means the entity that operates a community facility.

(2) "Agency" does not include the following:

(a) Persons related to the child in the following ways:

(i) Any blood relative, including those of half-blood, and including first cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(ii) Stepfather, stepmother, stepbrother, and stepsister;

(iii) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law; or

(iv) Spouses of any persons named in (i), (ii), or (iii) of this subsection (2)(a), even after the marriage is terminated;

(b) Persons who are legal guardians of the child;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the person providing care for periods of less than twenty-four hours does not conduct such activity on an ongoing, regularly scheduled basis for the purpose of engaging in business, which includes, but is not limited to, advertising such care;

(d) Parents on a mutually cooperative basis exchange care of one another's children;

(e) Nursery schools or kindergartens that are engaged primarily in educational work with preschool children and in which no child is enrolled on a regular basis for more than four hours per day;

(f) Schools, including boarding schools, that are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children, and do not accept custody of children;

(g) Seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;

(h) Facilities providing care to children for periods of less than twenty-four hours whose parents remain on the premises to participate in activities other than employment;

(i) Any agency having been in operation in this state ten years before June 8, 1967, and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund;

(j) An agency operated by any unit of local, state, or federal government or an agency, located within the boundaries of a federally recognized Indian reservation, licensed by the Indian tribe;

(k) An agency located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter;

(l) An agency that offers early learning and support services, such as parent education, and does not provide child care services on a regular basis.

~~(3)~~ "Applicant" means a person who requests or seeks employment in an agency.

~~(4)~~ "Department" means the department of early learning.

~~((4))~~ (5) "Director" means the director of the department.

~~((5))~~ (6) "Employer" means a person or business that engages the services of one or more people, especially for wages or salary to work in an agency.

~~(7)~~ "Enforcement action" means denial, suspension, revocation, modification, or nonrenewal of a license pursuant to RCW 43.215.300(1) or assessment of civil monetary penalties pursuant to RCW 43.215.300(3).

~~((6))~~ (8) "Probationary license" means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

~~((7))~~ (9) "Requirement" means any rule, regulation, or standard of care to be maintained by an agency.

Sec. 3. RCW 43.215.200 and 2006 c 265 s 301 are each amended to read as follows:

It shall be the director's duty with regard to licensing:

(1) In consultation and with the advice and assistance of persons representative of the various type agencies to be licensed, to designate categories of child care facilities for which separate or different requirements shall be developed as may be appropriate whether because of variations in the ages and other characteristics of the children served, variations in the purposes and services offered or size or structure of the agencies to be licensed, or because of any other factor relevant thereto;

(2) In consultation and with the advice and assistance of parents or guardians, and persons representative of the various type agencies to be licensed, to adopt and publish minimum requirements for licensing applicable to each of the various categories of agencies to be licensed under this chapter(:

~~The minimum requirements shall be limited to:~~

~~(a) The size and suitability of a facility and the plan of operation for carrying out the purpose for which an applicant seeks a license;~~

~~(b) The character, suitability, and competence of an agency and other persons associated with an agency directly responsible for the care of children. In consultation with law enforcement personnel, the director shall investigate the conviction record or pending charges and dependency record information under chapter 43.43 RCW of each agency and its staff seeking licensure or relicensure. No unfounded allegation of child abuse or neglect as defined in RCW 26.44.020 may be disclosed to a provider licensed under this chapter.~~

~~In order to determine the suitability of applicants for an agency license, licensees, their employees, and other persons who have unsupervised access to children in care, and who have not resided in the state of Washington during the three-year period before being authorized to care for children shall be fingerprinted. The fingerprints shall be forwarded to the Washington state patrol and federal bureau of investigation for a criminal history records check. The fingerprint criminal history records checks will be at the expense of the licensee. The licensee may not pass this cost on to the employee or prospective employee, unless the employee is determined to be unsuitable due to his or her criminal history record. The director shall use the information solely for the purpose of determining eligibility for a license and for determining the character, suitability, and competence of those persons or agencies, excluding parents, not required to be licensed who are authorized to care for children. Criminal justice agencies shall provide the director such information as they may have and that the director may require for such purpose;~~

~~(c) The number of qualified persons required to render the type of care for which an agency seeks a license;~~

~~(d) The health, safety, cleanliness, and general adequacy of the premises to provide for the comfort, care, and well-being of children;~~

~~(e) The provision of necessary care and early learning, including food, supervision, and discipline; physical, mental, and social well-being; and educational and recreational opportunities for those served;~~

~~(f) The financial ability of an agency to comply with minimum requirements established under this chapter, and~~
~~(g) The maintenance of records pertaining to the care of children);~~

(3) In consultation with law enforcement personnel, the director shall investigate the conviction record or pending charges of each agency and its staff seeking licensure or relicensure, and other persons having unsupervised access to children in care;

(4) To issue, revoke, or deny licenses to agencies pursuant to this chapter. Licenses shall specify the category of care that an agency is authorized to render and the ages and number of children to be served;

~~((4))~~ (5) To prescribe the procedures and the form and contents of reports necessary for the administration of this chapter and to require regular reports from each licensee;

~~((5))~~ (6) To inspect agencies periodically to determine whether or not there is compliance with this chapter and the requirements adopted under this chapter;

~~((6))~~ (7) To review requirements adopted under this chapter at least every two years and to adopt appropriate changes after consultation with affected groups for child day care requirements; and

~~((7))~~ (8) To consult with public and private agencies in order to help them improve their methods and facilities for the care and early learning of children.

NEW SECTION. Sec. 4. MINIMUM REQUIREMENTS FOR LICENSING. Applications for licensure shall require, at a minimum, the following information:

(1) The size and suitability of a facility and the plan of operation for carrying out the purpose for which an applicant seeks a license;

(2) The character, suitability, and competence of an agency and other persons associated with an agency directly responsible for the care of children;

(3) The number of qualified persons required to render the type of care for which an agency seeks a license;

(4) The health, safety, cleanliness, and general adequacy of the premises to provide for the comfort, care, and well-being of children;

(5) The provision of necessary care and early learning, including food, supervision, and discipline; physical, mental, and social well-being; and educational and recreational opportunities for those served;

(6) The financial ability of an agency to comply with minimum requirements established under this chapter; and

(7) The maintenance of records pertaining to the care of children.

NEW SECTION. Sec. 5. CHARACTER, SUITABILITY, AND COMPETENCE. (1) In determining whether an individual is of appropriate character, suitability, and competence to provide child care and early learning services to children, the department may consider the history of past involvement of child protective services or law enforcement agencies with the individual for the purpose of establishing a pattern of conduct, behavior, or inaction with regard to the health, safety, or welfare of a child. No report of child abuse or neglect that has been destroyed or expunged under RCW 26.44.031 may be used for such purposes. No unfounded or inconclusive allegation of child abuse or neglect as defined in RCW 26.44.020 may be disclosed to a provider licensed under this chapter.

(2) In order to determine the suitability of applicants for an agency license, licensees, their employees, and other persons who have unsupervised access to children in care, and who have not resided in the state of Washington during the three-year period before being authorized to care for children, shall be fingerprinted.

(a) The fingerprints shall be forwarded to the Washington state patrol and federal bureau of investigation for a criminal history record check.

(b) The fingerprint criminal history record checks shall be at the expense of the licensee. The licensee may not pass this cost on to the employee or prospective employee, unless the employee is determined to be unsuitable due to his or her criminal history record.

(c) The director shall use the information solely for the purpose of determining eligibility for a license and for determining the

character, suitability, and competence of those persons or agencies, excluding parents, not required to be licensed who are authorized to care for children.

(d) Criminal justice agencies shall provide the director such information as they may have and that the director may require for such purpose.

Sec. 6. RCW 43.215.525 and 2006 c 209 s 11 are each amended to read as follows:

(1) Every child day-care center and family day-care provider shall prominently post the following items, clearly visible to parents and staff:

(a) The license issued under this chapter;

(b) The department's toll-free telephone number established by RCW ~~((74.15.310))~~ 43.215.520;

(c) The notice of any pending enforcement action. The notice must be posted immediately upon receipt. The notice must be posted for at least two weeks or until the violation causing the enforcement action is corrected, whichever is longer;

(d) A notice that inspection reports and any notices of enforcement actions for the previous three years are available from the licensee and the department; and

(e) Any other information required by the department.

(2) The department shall disclose ~~((upon request,))~~ the receipt, general nature, and resolution or current status of all complaints on record with the department after July 24, 2005, against a child day-care center or family day-care provider that result in an enforcement action. Information may be posted:

(a) On a web site; or

(b) In a physical location that is easily accessed by parents and potential employers.

(3) This section shall not be construed to require the disclosure of any information that is exempt from public disclosure under chapter 42.56 RCW.

Sec. 7. RCW 43.215.530 and 2006 c 209 s 12 are each amended to read as follows:

(1) Every child day-care center and family day-care provider shall have readily available for review by the department, parents, and the public a copy of each inspection report and notice of enforcement action received by the center or provider from the department for the past three years. This subsection only applies to reports and notices received on or after July 24, 2005.

(2) The department shall make available to the public during business hours all inspection reports and notices of enforcement actions involving child day-care centers and family day-care providers ~~((consistent with chapter 42.56 RCW))~~. The department shall include in the inspection report a statement of the corrective measures taken by the center or provider.

(3) The department may make available on a publicly accessible web site all inspection reports and notices of licensing actions, including the corrective measures required or taken, involving child day-care centers and family day-care providers.

(4) This section shall not be construed to require the disclosure of any information that is exempt from public disclosure under chapter 42.56 RCW.

NEW SECTION. Sec. 8. PARENTAL NOTIFICATION. The department and an agency must, at the first opportunity but in all cases within forty-eight hours of receiving a report alleging sexual misconduct or abuse by an agency employee, notify the parents or guardian of a child alleged to be the victim, target, or recipient of the misconduct or abuse. The department and an agency shall provide parents annually with information regarding their rights under the public records act, chapter 42.56 RCW, to request the public records regarding the employee.

NEW SECTION. Sec. 9. REPORTING ACTIONS--POSTING ON WEB SITE. For the purposes of reporting actions taken against agency licensees, upon the development of an early learning information system, the following actions shall be posted to the department's web site accessible by the public: Suspension,

surrender, revocation, denial, stayed suspension, or reinstatement of a license.

Sec. 10. RCW 43.215.535 and 2005 c 473 s 7 are each amended to read as follows:

(1) Every licensed child day-care center shall, at the time of licensure or renewal and at any inspection, provide to the department proof that the licensee has day-care insurance as defined in RCW 48.88.020, or is self-insured pursuant to chapter 48.90 RCW.

(a) Every licensed child day-care center shall comply with the following requirements:

(i) Notify the department when coverage has been terminated;

(ii) Post at the day-care center, in a manner likely to be observed by patrons, notice that coverage has lapsed or been terminated;

(iii) Provide written notice to parents that coverage has lapsed or terminated within thirty days of lapse or termination.

(b) Liability limits under this subsection shall be the same as set forth in RCW 48.88.050.

(c) The department may take action as provided in RCW ~~((74.15.130))~~ 43.215.300 if the licensee fails to maintain in full force and effect the insurance required by this subsection.

(d) This subsection applies to child day-care centers holding licenses, initial licenses, and probationary licenses under this chapter.

(e) A child day-care center holding a license under this chapter on July 24, 2005, is not required to be in compliance with this subsection until the time of renewal of the license or until January 1, 2006, whichever is sooner.

(2)(a) Every licensed family day-care provider shall, at the time of licensure or renewal either:

(i) Provide to the department proof that the licensee has day-care insurance as defined in RCW 48.88.020, or other applicable insurance; or

(ii) Provide written notice of their insurance status on a standard form developed by the department to parents with a child enrolled in family day care and keep a copy of the notice to each parent on file. Family day-care providers may choose to opt out of the requirement to have day care or other applicable insurance but must provide written notice of their insurance status to parents with a child enrolled and shall not be subject to the requirements of ~~(b)((c))~~ or ~~(c)((c))~~ or ~~(d))~~ of this subsection.

(b) Any licensed family day-care provider that provides to the department proof that the licensee has insurance as provided under (a)(i) of this subsection shall comply with the following requirements:

(i) Notify the department when coverage has been terminated;

(ii) Post at the day-care home, in a manner likely to be observed by patrons, notice that coverage has lapsed or been terminated;

(iii) Provide written notice to parents that coverage has lapsed or terminated within thirty days of lapse or termination.

(c) Liability limits under (a)(i) of this subsection shall be the same as set forth in RCW 48.88.050.

(d) The department may take action as provided in RCW ~~((74.15.130))~~ 43.215.300 if the licensee fails to ~~((notify the department when coverage has been terminated as required under (b)))~~ comply with the requirements of this subsection.

(e) A family day-care provider holding a license under this chapter on July 24, 2005, is not required to be in compliance with this subsection until the time of renewal of the license or until January 1, 2006, whichever is sooner.

(3) Noncompliance or compliance with the provisions of this section shall not constitute evidence of liability or nonliability in any injury litigation.

NEW SECTION. Sec. 11. Captions used in this act are not any part of the law.

NEW SECTION. Sec. 12. Sections 4, 5, 8, and 9 of this act are each added to chapter 43.215 RCW."

Representatives Kagi and Haler spoke in favor of the adoption of the amendment.

The amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House was placed on final passage.

Representative Kagi spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5317, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5317, as amended by the House and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Erickson, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Condotta - 1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5317, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 10, 2007

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1512, with the following amendment:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.86A.030 and 2005 c 302 s 2 are each amended to read as follows:

(1) Funds held in public depositaries not as demand deposits as provided in RCW 43.86A.020 and 43.86A.030, shall be available for a time certificate of deposit investment program according to the following formula: The state treasurer shall apportion to all participating depositaries an amount equal to five percent of the three year average mean of general state revenues as certified in accordance with Article VIII, section 1(b) of the state Constitution, or fifty percent of the total surplus treasury investment availability, whichever is less. Within thirty days after certification, those funds determined to be available according to this formula for the time certificate of deposit investment program shall be deposited in qualified public depositaries. These deposits shall be allocated among the participating depositaries on a basis to be determined by the state treasurer.

(2) The state treasurer may use up to one hundred fifty million dollars per year of all funds available under this section for the

purposes of RCW 43.86A.060. The amounts made available to these public depositories shall be equal to the amounts of outstanding loans made under RCW 43.86A.060.

(3) The formula so devised shall be a matter of public record giving consideration to, but not limited to deposits, assets, loans, capital structure, investments or some combination of these factors. However, if in the judgment of the state treasurer the amount of allocation for certificates of deposit as determined by this section will impair the cash flow needs of the state treasury, the state treasurer may adjust the amount of the allocation accordingly.

Sec. 2. RCW 43.86A.060 and 2005 c 302 s 3 are each amended to read as follows:

(1) The state treasurer shall establish a linked deposit program for investment of deposits in qualified public depositories. As a condition of participating in the program, qualified public depositories must make qualifying loans as provided in this section. The state treasurer may purchase a certificate of deposit that is equal to the amount of the qualifying loan made by the qualified public depository or may purchase a certificate of deposit that is equal to the aggregate amount of two or more qualifying loans made by one or more qualified public depositories.

(2) Qualifying loans made under this section are those:

(a) Having terms that do not exceed ten years;

(b) Where an individual loan does not exceed one million dollars;

(c) That are made to a minority or women's business enterprise that has received state certification under chapter 39.19 RCW;

(d) Where the interest rate on the loan to the minority or women's business enterprise does not exceed an interest rate that is two hundred basis points below the interest rate the qualified public depository would charge for a loan for a similar purpose and a similar term, except that, if the preference given by the state treasurer to the qualified public depository under subsection (3) of this section is less than two hundred basis points, the qualified public depository may reduce the preference given on the loan by an amount that corresponds to the reduction in preference below two hundred basis points given to the qualified public depository; and

(e) Where the points or fees charged at loan closing do not exceed one percent of the loan amount.

(3) In setting interest rates of time certificate of deposits, the state treasurer shall offer rates so that a two hundred basis point preference will be given to the qualified public depository, except that the treasurer shall lower the amount of the preference to ensure that the effective interest rate on the time certificate of deposit is not less than two percent.

(4) Upon notification by the state treasurer that a minority or women's business enterprise is no longer certified under chapter 39.19 RCW, the qualified public depository shall reduce the amount of qualifying loans by the outstanding balance of the loan made under this section to the minority or women's business enterprise.

(5) The office of minority and women's business enterprises has the authority to adopt rules to:

(a) Ensure that when making a qualified loan under the linked deposit program, businesses that have never received a loan under the linked deposit program are given first priority;

(b) Limit the total principal loan amount that any one business receives in qualified loans under the linked deposit program over the lifetime of the businesses;

(c) Limit the total principal loan amount that an owner of one or more businesses receives in qualified loans under the linked deposit program during the owner's lifetime; and

(d) Limit the total amount of any one qualified loan made under the linked deposit program.

NEW SECTION. Sec. 3. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2007, in the omnibus appropriations act, this act is null and void."

On page 1, line 1 of the title, after "program;" strike the remainder of the title and insert "amending RCW 43.86A.030 and 43.86A.060; and creating a new section."

and the same is herewith transmitted.

Thomas Hoemann, Secretary

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1512 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Hasegawa and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be final passage of Engrossed Substitute House Bill No. 1512, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1512, as amended by the Senate and the bill passed the House by the following vote: Yeas - 96, Nays - 1, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 96.

Voting nay: Representative Dunn - 1.

Excused: Representative Condotta - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1512, as amended by the Senate having received the constitutional majority, was declared passed.

There being no objection, the House reverted to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2404 By Representatives VanDeWege and Simpson

AN ACT Relating to prohibiting port districts from exercising eminent domain powers; amending RCW 53.08.010, 53.08.020, 53.08.047, 53.20.050, 53.34.010, and 53.34.170; adding a new section to chapter 53.08 RCW; repealing RCW 53.25.010, 53.25.020, 53.25.030, 53.25.040, 53.25.050, 53.25.060, 53.25.070, 53.25.080, 53.25.090, 53.25.100, 53.25.110, 53.25.120, 53.25.130, 53.25.140, 53.25.150, 53.25.160, 53.25.170, 53.25.190, 53.25.200,

53.25.210, 53.25.900, and 53.25.910; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2405 By Representatives VanDeWege and Simpson

AN ACT Relating to property tax limitations for port districts; amending RCW 84.55.092; adding a new section to chapter 84.55 RCW; and creating a new section.

Referred to Committee on Finance.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

April 17, 2007

SB 5434 Prime Sponsor, Senator Poulsen: Regarding excise taxation of sales of tangible personal property originating from or destined to foreign countries. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chairman; Orcutt, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Conway; Ericks; McIntire; Roach and Santos.

MINORITY recommendation: Do not pass. Signed by Representatives Hasegawa, Vice Chairman.

Passed to Committee on Rules for second reading.

April 17, 2007

E2SSB 5557 Prime Sponsor, Senate Committee On Ways & Means: Concerning public facilities for economic development purposes. Reported by Committee on Finance

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 82.14.370 and 2004 c 130 s 2 are each amended to read as follows:

(1) The legislative authority of a rural county may impose a sales and use tax in accordance with the terms of this chapter. The tax is in addition to other taxes authorized by law and shall be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the county. The rate of tax shall not exceed ~~((0-08))~~ 0.09 percent of the selling price in the case of a sales tax or value of the article used in the case of a use tax, except that for rural counties with population densities between sixty and one hundred persons per square mile, the rate shall not exceed 0.04 percent before January 1, 2000.

(2) The tax imposed under subsection (1) of this section shall be deducted from the amount of tax otherwise required to be collected or paid over to the department of revenue under chapter 82.08 or 82.12 RCW. The department of revenue shall perform the collection of such taxes on behalf of the county at no cost to the county.

(3)(a) Moneys collected under this section shall only be used to finance public facilities serving economic development purposes in rural counties. The public facility must be listed as an item in the officially adopted county overall economic development plan, or the economic development section of the county's comprehensive plan,

or the comprehensive plan of a city or town located within the county for those counties planning under RCW 36.70A.040. For those counties that do not have an adopted overall economic development plan and do not plan under the growth management act, the public facility must be listed in the county's capital facilities plan or the capital facilities plan of a city or town located within the county.

(b) In implementing this section, the county shall consult with cities, towns, and port districts located within the county and the associate development organization serving the county to ensure that the expenditure meets the goals of chapter 130, Laws of 2004 and the requirements of (a) of this subsection. Each county collecting money under this section shall report, as follows, to the office of the state auditor, ~~((no later than October 1st))~~ within one hundred fifty days after the close of each fiscal year ~~((:))~~: (i) A list of new projects ~~((from))~~ begun during the ~~((prior))~~ fiscal year, showing that the county has used the funds for those projects consistent with the goals of chapter 130, Laws of 2004 and the requirements of (a) of this subsection; and (ii) expenditures during the fiscal year on projects begun in a previous year. Any projects financed prior to June 10, 2004, from the proceeds of obligations to which the tax imposed under subsection (1) of this section has been pledged shall not be deemed to be new projects under this subsection. No new projects funded with money collected under this section may be for justice system facilities.

(c) For the purposes of this section, (i) "public facilities" means bridges, roads, domestic and industrial water facilities, sanitary sewer facilities, earth stabilization, storm sewer facilities, railroad, electricity, natural gas, buildings, structures, telecommunications infrastructure, transportation infrastructure, or commercial infrastructure, and port facilities in the state of Washington; and (ii) "economic development purposes" means those purposes which facilitate the creation or retention of businesses and jobs in a county.

(4) No tax may be collected under this section before July 1, 1998. No tax may be collected under this section by a county more than twenty-five years after the date that a tax is first imposed under this section.

(5) For purposes of this section, "rural county" means a county with a population density of less than one hundred persons per square mile or a county smaller than two hundred twenty-five square miles as determined by the office of financial management and published each year by the department for the period July 1st to June 30th.

NEW SECTION. Sec. 2. This act takes effect August 1, 2007."

Signed by Representatives Hunter, Chairman; Hasegawa, Vice Chairman; Orcutt, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Conway; Ericks; McIntire; Roach and Santos.

April 17, 2007

E2SSB 5799 Prime Sponsor, Senate Committee On Ways & Means: Reducing business and occupation tax rates for certain fuel distributors. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives Hunter, Chairman; Conway; Ericks; McIntire and Santos.

MINORITY recommendation: Do not pass. Signed by Representatives Hasegawa, Vice Chairman; Orcutt, Ranking Minority Member; Condotta, Assistant Ranking Minority Member; Roach.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports sheet under the fifth order of business were referred to the committees so designated with the exception of

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5557 which was placed on the Second Reading calendar.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5288, By Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Kohl-Welles, Murray, McAuliffe, Weinstein, Shin and Rasmussen)

Requiring cyberbullying to be included in school district harassment prevention policies.

Representative Santos moved the adoption of amendment (881):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28A.300.285 and 2002 c 207 s 2 are each amended to read as follows:

(1) By August 1, 2003, each school district shall adopt or amend if necessary a policy, within the scope of its authority, that prohibits the harassment, intimidation, or bullying of any student. It is the responsibility of each school district to share this policy with parents or guardians, students, volunteers, and school employees.

(2) "Harassment, intimidation, or bullying" means any intentional electronic, written, verbal, or physical act, including but not limited to one shown to be motivated by any characteristic in RCW 9A.36.080(3), or other distinguishing characteristics, when the intentional electronic, written, verbal, or physical act:

(a) Physically harms a student or damages the student's property; or

(b) Has the effect of substantially interfering with a student's education; or

(c) Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or

(d) Has the effect of substantially disrupting the orderly operation of the school.

Nothing in this section requires the affected student to actually possess a characteristic that is a basis for the harassment, intimidation, or bullying.

(3) The policy should be adopted or amended through a process that includes representation of parents or guardians, school employees, volunteers, students, administrators, and community representatives. It is recommended that each such policy emphasize positive character traits and values, including the importance of civil and respectful speech and conduct, and the responsibility of students to comply with the district's policy prohibiting harassment, intimidation, or bullying.

(4) By August 1, 2002, the superintendent of public instruction, in consultation with representatives of parents, school personnel, and other interested parties, shall provide to school districts and educational service districts a model harassment, intimidation, and bullying prevention policy and training materials on the components that should be included in any district policy. Training materials shall be disseminated in a variety of ways, including workshops and other staff developmental activities, and through the office of the superintendent of public instruction's web site, with a link to the safety center web page. On the web site:

(a) The office of the superintendent of public instruction shall post its model policy, recommended training materials, and instructional materials;

(b) The office of the superintendent of public instruction has the authority to update with new technologies access to this information in the safety center, to the extent resources are made available; and

(c) Individual school districts shall have direct access to the safety center web site to post a brief summary of their policies, programs, partnerships, vendors, and instructional and training materials, and to provide a link to the school district's web site for further information.

(5) The Washington state school directors association, with the assistance of the office of the superintendent of public instruction, shall convene an advisory committee to develop a model policy prohibiting acts of harassment, intimidation, or bullying that are conducted via electronic means by a student while on school grounds and during the school day. The policy shall include a requirement that materials meant to educate parents and students about the seriousness of cyberbullying be disseminated to parents or made available on the school district's web site. The school directors association and the advisory committee shall develop sample materials for school districts to disseminate, which shall also include information on responsible and safe internet use as well as what options are available if a student is being bullied via electronic means, including but not limited to, reporting threats to local police and when to involve school officials, the internet service provider, or phone service provider. The school directors association shall submit the model policy and sample materials, along with a recommendation for local adoption, to the governor and the legislature and shall post the model policy and sample materials on its web site by January 1, 2008. Each school district board of directors shall establish its own policy by August 1, 2008.

(6) As used in this section, "electronic" or "electronic means" means any communication where there is the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means."

Representatives Santos and Priest spoke in favor of the adoption of the amendment.

The amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House was placed on final passage.

Representatives Santos and Priest spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5288, as amended by the House.

MOTIONS

On motion of Representative Schindler, Representative DeBolt was excused. On motion of Representative Santos, Representative B. Sullivan was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5288, as amended by the House and the bill passed the House by the following vote: Yeas - 75, Nays - 20, Absent - 0, Excused - 3.

Voting yea: Representatives Appleton, Armstrong, Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Erics, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Orcutt, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 75.

Voting nay: Representatives Ahern, Alexander, Anderson, Bailey, Buri, Chandler, Crouse, Curtis, Dunn, Ericksen, Hailey, Hinkle, Kretz, Kristiansen, McCune, Morris, Pearson, Schindler, Sump and Warnick - 20.

Excused: Representatives Condotta, DeBolt and Sullivan, B. - 3.

SUBSTITUTE SENATE BILL NO. 5288, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 17, 2007

Mr. Speaker:

The Senate refuses to concur in the House amendment to SECOND SUBSTITUTE SENATE BILL NO. 5470 and asks the House to recede therefrom, and the same is herewith transmitted.

Thomas Hoemann, Secretary

There being no objection, the rules were suspended and SECOND SUBSTITUTE SENATE BILL NO. 5470 was returned to second reading for purpose of amendment.

SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 5470, By Senate Committee on Ways & Means (originally sponsored by Senators Hargrove, Stevens, McAuliffe, Brown and Regala)

Revising provisions concerning dissolution proceedings.

Representative Lantz moved the adoption of amendment (876):

Strike everything after the enacting clause and insert the following:

"PART I - Intent

Sec. 101. RCW 26.09.002 and 1987 c 460 s 2 are each amended to read as follows:

Parents have the responsibility to make decisions and perform other parental functions necessary for the care and growth of their minor children. In any proceeding between parents under this chapter, the best interests of the child shall be the standard by which the court determines and allocates the parties' parental responsibilities. The state recognizes the fundamental importance of the parent-child relationship to the welfare of the child, and that the relationship between the child and each parent should be fostered unless inconsistent with the child's best interests. Residential time and financial support are equally important components of parenting arrangements. The best interests of the child are served by a parenting arrangement that best maintains a child's emotional growth, health and stability, and physical care. Further, the best interest of the child is ordinarily served when the existing pattern of interaction between a parent and child is altered only to the extent necessitated by the changed relationship of the parents or as required to protect the child from physical, mental, or emotional harm.

NEW SECTION. Sec. 102. A new section is added to chapter 26.09 RCW to read as follows:

The legislature reaffirms the intent of the current law as expressed in RCW 26.09.002. However, after review, the legislature finds that there are certain components of the existing law which do not support the original legislative intent. In order to better implement the existing legislative intent the legislature finds that

incentives for parties to reduce family conflict and additional alternative dispute resolution options can assist in reducing the number of contested trials. Furthermore, the legislature finds that the identification of domestic violence as defined in RCW 26.50.010 and the treatment needs of the parties to dissolutions are necessary to improve outcomes for children. When judicial officers have the discretion to tailor individualized resolutions, the legislative intent expressed in RCW 26.09.002 can more readily be achieved. Judicial officers should have the discretion and flexibility to assess each case based on the merits of the individual cases before them.

PART II - Family Court Provisions

NEW SECTION. Sec. 201. A new section is added to chapter 26.12 RCW to read as follows:

(1) After July 1, 2009, but no later than November 1, 2009, a county may, and to the extent state funding is provided to meet the minimum requirements of the program a county shall, create a program to provide services to all parties involved in proceedings under chapter 26.09 RCW. Minimum components of this program shall include: (a) An individual to serve as an initial point of contact for parties filing petitions for dissolutions or legal separations under chapter 26.09 RCW; (b) informing parties about courthouse facilitation programs and orientations; (c) informing parties of alternatives to filing a dissolution petition, such as marriage counseling; (d) informing parties of alternatives to litigation including counseling, legal separation and mediation services if appropriate; (e) informing parties of supportive family services available in the community; (f) screening for referral for services in the areas of domestic violence as defined in RCW 26.50.010, child abuse, substance abuse, and mental health; and (g) assistance to the court in superior court cases filed under 26.09 RCW.

(2) This program shall not provide legal advice. No attorney-client relationship or privilege is created, by implication or by inference, between persons providing basic information under this section and the participants in the program.

(3) The legislative authority of any county may impose user fees or may impose a surcharge of up to twenty dollars on only those superior court cases filed under this title, or both, to pay for the expenses of this program. Fees collected under this section shall be collected and deposited in the same manner as other county funds are collected and deposited, and shall be maintained in a separate account to be used as provided in this section. The program shall provide services to indigent persons at no expense.

(4) Persons who implement the program shall be appointed in the same manner as investigators, stenographers and clerks as described in RCW 26.12.050.

(5) If the county has a program under this section, any petition under RCW 26.09.020 must allege that the moving party met and conferred with the program prior to the filing of the petition.

(6) If the county has a program under this section, parties shall meet and confer with the program prior to participation in mediation under section 301 of this act.

Sec. 202. RCW 2.56.180 and 2005 c 282 s 10 are each amended to read as follows:

(1) The administrative office of the courts shall create a handbook explaining the sections of Washington law pertaining to the rights and responsibilities of marital partners to each other and to any children during a marriage and a dissolution of marriage. The handbook may also be provided in videotape or other electronic form.

(2) The handbook created under subsection (1) of this section shall be provided by the county auditor when an individual applies for a marriage license under RCW 26.04.140.

(3) The handbook created under subsection (1) of this section shall also be provided to the petitioner when he or she files a petition for dissolution, and to the respondent, unless the respondent did not file a response, notice of appearance, or any other paper in the case or did not appear in court. The administrative office of the courts shall on an annual basis reimburse the counties for each copy of the handbook that is distributed directly to family law parties under this section, provided that the county submits documentation of the number of handbooks distributed on an annual basis.

(4) The information contained in the handbook created under subsection (1) of this section shall be reviewed and updated annually. The handbook must contain the following information:

(a) Information on prenuptial agreements as contracts and as a means of structuring financial arrangements and other aspects of the marital relationship;

(b) Information on shared parental responsibility for children, including establishing a residential schedule for the child in the event of the dissolution of the marriage;

(c) Information on notice requirements and standards for parental relocation;

(d) Information on child support for minor children;

(e) Information on property rights, including equitable distribution of assets and premarital and postmarital property rights;

(f) Information on spousal maintenance;

(g) Information on domestic violence, child abuse, and neglect, including penalties;

(h) Information on the court process for dissolution;

(i) Information on the effects of dissolution on children;

(j) Information on community resources that are available to separating or divorcing persons and their children.

Sec. 203. RCW 26.09.020 and 2001 c 42 s 1 are each amended to read as follows:

(1) A petition in a proceeding for dissolution of marriage, legal separation, or for a declaration concerning the validity of a marriage shall allege:

(a) The last known state of residence of each party, and if a party's last known state of residence is Washington, the last known county of residence;

(b) The date and place of the marriage;

(c) If the parties are separated the date on which the separation occurred;

(d) The names and ages of any child dependent upon either or both spouses and whether the wife is pregnant;

(e) Any arrangements as to the residential schedule of, decision making for, dispute resolution for, and support of the children and the maintenance of a spouse;

(f) A statement specifying whether there is community or separate property owned by the parties to be disposed of;

(g) If the county has established a program under section 201 of this act, a statement affirming that the moving party met and conferred with the program prior to filing the petition;

(h) The relief sought.

(2) Either or both parties to the marriage may initiate the proceeding.

(3) The petitioner shall complete and file with the petition a certificate under RCW 43.70.150 on the form provided by the department of health and the confidential information form under RCW 26.23.050.

(4) Nothing in this section shall be construed to limit or prohibit the ability of parties to obtain appropriate emergency orders.

Sec. 204. RCW 36.18.016 and 2006 c 192 s 2 are each amended to read as follows:

(1) Revenue collected under this section is not subject to division under RCW 36.18.025 or 27.24.070.

(2)(a) For the filing of a petition for modification of a decree of dissolution or paternity, within the same case as the original action, and any party filing a counterclaim, cross-claim, or third-party claim in any such action, a fee of thirty-six dollars must be paid.

(b) The party filing the first or initial petition for dissolution, legal separation, or declaration concerning the validity of marriage shall pay, at the time and in addition to the filing fee required under RCW 36.18.020, a fee of thirty dollars. The clerk of the superior court shall transmit monthly twenty-four dollars of the thirty-dollar fee collected under this subsection to the state treasury for deposit in the domestic violence prevention account. The remaining six dollars shall be retained by the county for the purpose of supporting community-based services within the county for victims of domestic violence, except for five percent of the six dollars, which may be retained by the court for administrative purposes.

(3)(a) The party making a demand for a jury of six in a civil action shall pay, at the time, a fee of one hundred twenty-five dollars; if the demand is for a jury of twelve, a fee of two hundred fifty dollars. If, after the party demands a jury of six and pays the required fee, any other party to the action requests a jury of twelve, an additional one hundred twenty-five dollar fee will be required of the party demanding the increased number of jurors.

(b) Upon conviction in criminal cases a jury demand charge of one hundred twenty-five dollars for a jury of six, or two hundred fifty dollars for a jury of twelve may be imposed as costs under RCW 10.46.190.

(4) For preparing a certified copy of an instrument on file or of record in the clerk's office, for the first page or portion of the first page, a fee of five dollars, and for each additional page or portion of a page, a fee of one dollar must be charged. For authenticating or exemplifying an instrument, a fee of two dollars for each additional seal affixed must be charged. For preparing a copy of an instrument on file or of record in the clerk's office without a seal, a fee of fifty cents per page must be charged. When copying a document without a seal or file that is in an electronic format, a fee of twenty-five cents per page must be charged. For copies made on a compact disc, an additional fee of twenty dollars for each compact disc must be charged.

(5) For executing a certificate, with or without a seal, a fee of two dollars must be charged.

(6) For a garnishee defendant named in an affidavit for garnishment and for a writ of attachment, a fee of twenty dollars must be charged.

(7) For filing a supplemental proceeding, a fee of twenty dollars must be charged.

(8) For approving a bond, including justification on the bond, in other than civil actions and probate proceedings, a fee of two dollars must be charged.

(9) For the issuance of a certificate of qualification and a certified copy of letters of administration, letters testamentary, or letters of guardianship, there must be a fee of two dollars.

(10) For the preparation of a passport application, the clerk may collect an execution fee as authorized by the federal government.

(11) For clerk's services such as processing ex parte orders, performing historical searches, compiling statistical reports, and conducting exceptional record searches, the clerk may collect a fee not to exceed twenty dollars per hour or portion of an hour.

(12) For duplicated recordings of court's proceedings there must be a fee of ten dollars for each audio tape and twenty-five dollars for each video tape or other electronic storage medium.

(13) For registration of land titles, Torrens Act, under RCW 65.12.780, a fee of twenty dollars must be charged.

(14) For the issuance of extension of judgment under RCW 6.17.020 and chapter 9.94A RCW, a fee of two hundred dollars must be charged. When the extension of judgment is at the request of the clerk, the two hundred dollar charge may be imposed as court costs under RCW 10.46.190.

(15) A facilitator surcharge of up to twenty dollars must be charged as authorized under RCW 26.12.240.

(16) For filing a water rights statement under RCW 90.03.180, a fee of twenty-five dollars must be charged.

(17) For filing a claim of frivolous lien under RCW 60.04.081, a fee of thirty-five dollars must be charged.

(18) For preparation of a change of venue, a fee of twenty dollars must be charged by the originating court in addition to the per page charges in subsection (4) of this section.

(19) A service fee of three dollars for the first page and one dollar for each additional page must be charged for receiving faxed documents, pursuant to Washington state rules of court, general rule 17.

(20) For preparation of clerk's papers under RAP 9.7, a fee of fifty cents per page must be charged.

(21) For copies and reports produced at the local level as permitted by RCW 2.68.020 and supreme court policy, a variable fee must be charged.

(22) Investment service charge and earnings under RCW 36.48.090 must be charged.

(23) Costs for nonstatutory services rendered by clerk by authority of local ordinance or policy must be charged.

(24) For filing a request for mandatory arbitration, a filing fee may be assessed against the party filing a statement of arbitrability not to exceed two hundred twenty dollars as established by authority of local ordinance. This charge shall be used solely to offset the cost of the mandatory arbitration program.

(25) For filing a request for trial de novo of an arbitration award, a fee not to exceed two hundred fifty dollars as established by authority of local ordinance must be charged.

(26) A public agency may not charge a fee to a law enforcement agency, for preparation, copying, or mailing of certified copies of the judgment and sentence, information, affidavit of probable cause, and/or the notice of requirement to register, of a sex offender convicted in a Washington court, when such records are necessary for risk assessment, preparation of a case for failure to register, or maintenance of a sex offender's registration file.

(27) For the filing of a will or codicil under the provisions of chapter 11.12 RCW, a fee of twenty dollars must be charged.

(28) A surcharge of up to twenty dollars may be charged as authorized by section 201 of this act.

The revenue to counties from the fees established in this section shall be deemed to be complete reimbursement from the state for the state's share of benefits paid to the superior court judges of the state prior to July 24, 2005, and no claim shall lie against the state for such benefits.

PART III - Domestic Violence and Child Abuse

NEW SECTION. Sec. 301. A new section is added to chapter 26.09 RCW to read as follows:

Mediation is generally inappropriate in cases involving domestic violence and child abuse. In order to effectively identify cases where issues of domestic violence and child abuse are present and reduce conflict in dissolution matters: (1) Where appropriate parties shall be provided access to trained domestic violence advocates; and (2) in cases where a victim requests mediation the court may make exceptions and permit mediation, so long as the court makes a finding that mediation is appropriate under the circumstances and the victim is permitted to have a supporting person present during the mediation proceedings.

Sec. 302. RCW 2.56.030 and 2005 c 457 s 7 and 2005 c 282 s 7 are each reenacted and amended to read as follows:

The administrator for the courts shall, under the supervision and direction of the chief justice:

(1) Examine the administrative methods and systems employed in the offices of the judges, clerks, stenographers, and employees of the courts and make recommendations, through the chief justice, for the improvement of the same;

(2) Examine the state of the dockets of the courts and determine the need for assistance by any court;

(3) Make recommendations to the chief justice relating to the assignment of judges where courts are in need of assistance and carry out the direction of the chief justice as to the assignments of judges to counties and districts where the courts are in need of assistance;

(4) Collect and compile statistical and other data and make reports of the business transacted by the courts and transmit the same to the chief justice to the end that proper action may be taken in respect thereto;

(5) Prepare and submit budget estimates of state appropriations necessary for the maintenance and operation of the judicial system and make recommendations in respect thereto;

(6) Collect statistical and other data and make reports relating to the expenditure of public moneys, state and local, for the maintenance and operation of the judicial system and the offices connected therewith;

(7) Obtain reports from clerks of courts in accordance with law or rules adopted by the supreme court of this state on cases and other judicial business in which action has been delayed beyond periods of time specified by law or rules of court and make report thereof to supreme court of this state;

(8) Act as secretary of the judicial conference referred to in RCW 2.56.060;

(9) Submit annually, as of February 1st, to the chief justice, a report of the activities of the administrator's office for the preceding calendar year including activities related to courthouse security;

(10) Administer programs and standards for the training and education of judicial personnel;

(11) Examine the need for new superior court and district court judge positions under an objective workload analysis. The results of the objective workload analysis shall be reviewed by the board for judicial administration which shall make recommendations to the legislature. It is the intent of the legislature that an objective workload analysis become the basis for creating additional district and superior court positions, and recommendations should address that objective;

(12) Provide staff to the judicial retirement account plan under chapter 2.14 RCW;

(13) Attend to such other matters as may be assigned by the supreme court of this state;

(14) Within available funds, develop a curriculum for a general understanding of child development, placement, and treatment resources, as well as specific legal skills and knowledge of relevant statutes including chapters 13.32A, 13.34, and 13.40 RCW, cases, court rules, interviewing skills, and special needs of the abused or neglected child. This curriculum shall be completed and made available to all juvenile court judges, court personnel, and service providers and be updated yearly to reflect changes in statutes, court rules, or case law;

(15) Develop, in consultation with the entities set forth in RCW 2.56.150(3), a comprehensive statewide curriculum for persons who act as guardians ad litem under Title 13 or 26 RCW. The curriculum shall be made available July 1, ((+1997)) 2008, and include specialty sections on child development, child sexual abuse, child physical abuse, child neglect, domestic violence, clinical and forensic investigative and interviewing techniques, family reconciliation and mediation services, and relevant statutory and legal requirements. The curriculum shall be made available to all superior court judges, court personnel, and all persons who act as guardians ad litem;

(16) Develop a curriculum for a general understanding of crimes of malicious harassment, as well as specific legal skills and knowledge of RCW 9A.36.080, relevant cases, court rules, and the special needs of malicious harassment victims. This curriculum shall be made available to all superior court and court of appeals judges and to all justices of the supreme court;

(17) Develop, in consultation with the criminal justice training commission and the commissions established under chapters 43.113, 43.115, and 43.117 RCW, a curriculum for a general understanding of ethnic and cultural diversity and its implications for working with youth of color and their families. The curriculum shall be available to all superior court judges and court commissioners assigned to juvenile court, and other court personnel. Ethnic and cultural diversity training shall be provided annually so as to incorporate cultural sensitivity and awareness into the daily operation of juvenile courts statewide;

(18) Authorize the use of closed circuit television and other electronic equipment in judicial proceedings. The administrator shall promulgate necessary standards and procedures and shall provide technical assistance to courts as required;

(19) Develop a Washington family law handbook in accordance with RCW 2.56.180;

(20) Administer state funds for improving the operation of the courts and provide support for court coordinating councils, under the direction of the board for judicial administration;

(21)(a) Administer and distribute amounts appropriated from the equal justice subaccount under RCW 43.08.250(2) for district court judges' and qualifying elected municipal court judges' salary contributions. The administrator for the courts shall develop a distribution formula for these amounts that does not differentiate between district and elected municipal court judges.

(b) A city qualifies for state contribution of elected municipal court judges' salaries under (a) of this subsection if:

(i) The judge is serving in an elected position;

(ii) The city has established by ordinance that a full-time judge is compensated at a rate equivalent to at least ninety-five percent, but not more than one hundred percent, of a district court judge salary or for a part-time judge on a pro rata basis the same equivalent; and

(iii) The city has certified to the office of the administrator for the courts that the conditions in (b)(i) and (ii) of this subsection have been met.

Sec. 303. RCW 26.09.191 and 2004 c 38 s 12 are each amended to read as follows:

(1) The permanent parenting plan shall not require mutual decision-making or designation of a dispute resolution process other than court action if it is found that a parent has engaged in any of the following conduct: (a) Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions; (b) physical, sexual, or a pattern of emotional abuse of a child; or (c) a history of acts of domestic violence as defined in RCW 26.50.010(1) or an assault or sexual assault which causes grievous bodily harm or the fear of such harm.

(2)(a) The parent's residential time with the child shall be limited if it is found that the parent has engaged in any of the following conduct: (i) Willful abandonment that continues for an extended period of time or substantial refusal to perform parenting functions; (ii) physical, sexual, or a pattern of emotional abuse of a child; (iii) a history of acts of domestic violence as defined in RCW 26.50.010(1) or an assault or sexual assault which causes grievous bodily harm or the fear of such harm; or (iv) the parent has been convicted as an adult of a sex offense under:

(A) RCW 9A.44.076 if, because of the difference in age between the offender and the victim, no rebuttable presumption exists under (d) of this subsection;

(B) RCW 9A.44.079 if, because of the difference in age between the offender and the victim, no rebuttable presumption exists under (d) of this subsection;

(C) RCW 9A.44.086 if, because of the difference in age between the offender and the victim, no rebuttable presumption exists under (d) of this subsection;

(D) RCW 9A.44.089;

(E) RCW 9A.44.093;

(F) RCW 9A.44.096;

(G) RCW 9A.64.020 (1) or (2) if, because of the difference in age between the offender and the victim, no rebuttable presumption exists under (d) of this subsection;

(H) Chapter 9.68A RCW;

(I) Any predecessor or antecedent statute for the offenses listed in (a)(iv)(A) through (H) of this subsection;

(J) Any statute from any other jurisdiction that describes an offense analogous to the offenses listed in (a)(iv)(A) through (H) of this subsection.

This subsection (2)(a) shall not apply when (c) or (d) of this subsection applies.

(b) The parent's residential time with the child shall be limited if it is found that the parent resides with a person who has engaged in any of the following conduct: (i) Physical, sexual, or a pattern of emotional abuse of a child; (ii) a history of acts of domestic violence as defined in RCW 26.50.010(1) or an assault or sexual assault that causes grievous bodily harm or the fear of such harm; or (iii) the person has been convicted as an adult or as a juvenile has been adjudicated of a sex offense under:

(A) RCW 9A.44.076 if, because of the difference in age between the offender and the victim, no rebuttable presumption exists under (e) of this subsection;

(B) RCW 9A.44.079 if, because of the difference in age between the offender and the victim, no rebuttable presumption exists under (e) of this subsection;

(C) RCW 9A.44.086 if, because of the difference in age between the offender and the victim, no rebuttable presumption exists under (e) of this subsection;

(D) RCW 9A.44.089;

(E) RCW 9A.44.093;

(F) RCW 9A.44.096;

(G) RCW 9A.64.020 (1) or (2) if, because of the difference in age between the offender and the victim, no rebuttable presumption exists under (e) of this subsection;

(H) Chapter 9.68A RCW;

(I) Any predecessor or antecedent statute for the offenses listed in (b)(iii)(A) through (H) of this subsection;

(J) Any statute from any other jurisdiction that describes an offense analogous to the offenses listed in (b)(iii)(A) through (H) of this subsection.

This subsection (2)(b) shall not apply when (c) or (e) of this subsection applies.

(c) If a parent has been found to be a sexual predator under chapter 71.09 RCW or under an analogous statute of any other jurisdiction, the court shall restrain the parent from contact with a child that would otherwise be allowed under this chapter. If a parent resides with an adult or a juvenile who has been found to be a sexual predator under chapter 71.09 RCW or under an analogous statute of any other jurisdiction, the court shall restrain the parent from contact with the parent's child except contact that occurs outside that person's presence.

(d) There is a rebuttable presumption that a parent who has been convicted as an adult of a sex offense listed in (d)(i) through (ix) of this subsection poses a present danger to a child. Unless the parent rebuts this presumption, the court shall restrain the parent from contact with a child that would otherwise be allowed under this chapter:

(i) RCW 9A.64.020 (1) or (2), provided that the person convicted was at least five years older than the other person;

(ii) RCW 9A.44.073;

(iii) RCW 9A.44.076, provided that the person convicted was at least eight years older than the victim;

(iv) RCW 9A.44.079, provided that the person convicted was at least eight years older than the victim;

(v) RCW 9A.44.083;

(vi) RCW 9A.44.086, provided that the person convicted was at least eight years older than the victim;

(vii) RCW 9A.44.100;

(viii) Any predecessor or antecedent statute for the offenses listed in (d)(i) through (vii) of this subsection;

(ix) Any statute from any other jurisdiction that describes an offense analogous to the offenses listed in (d)(i) through (vii) of this subsection.

(e) There is a rebuttable presumption that a parent who resides with a person who, as an adult, has been convicted, or as a juvenile has been adjudicated, of the sex offenses listed in (e)(i) through (ix) of this subsection places a child at risk of abuse or harm when that parent exercises residential time in the presence of the convicted or adjudicated person. Unless the parent rebuts the presumption, the court shall restrain the parent from contact with the parent's child except for contact that occurs outside of the convicted or adjudicated person's presence:

(i) RCW 9A.64.020 (1) or (2), provided that the person convicted was at least five years older than the other person;

(ii) RCW 9A.44.073;

(iii) RCW 9A.44.076, provided that the person convicted was at least eight years older than the victim;

(iv) RCW 9A.44.079, provided that the person convicted was at least eight years older than the victim;

(v) RCW 9A.44.083;

(vi) RCW 9A.44.086, provided that the person convicted was at least eight years older than the victim;

(vii) RCW 9A.44.100;

(viii) Any predecessor or antecedent statute for the offenses listed in (e)(i) through (vii) of this subsection;

(ix) Any statute from any other jurisdiction that describes an offense analogous to the offenses listed in (e)(i) through (vii) of this subsection.

(f) The presumption established in (d) of this subsection may be rebutted only after a written finding that:

(i) If the child was not the victim of the sex offense committed by the parent requesting residential time, (A) contact between the child and the offending parent is appropriate and poses minimal risk to the child, and (B) the offending parent has successfully engaged in

treatment for sex offenders or is engaged in and making progress in such treatment, if any was ordered by a court, and the treatment provider believes such contact is appropriate and poses minimal risk to the child; or

(ii) If the child was the victim of the sex offense committed by the parent requesting residential time, (A) contact between the child and the offending parent is appropriate and poses minimal risk to the child, (B) if the child is in or has been in therapy for victims of sexual abuse, the child's counselor believes such contact between the child and the offending parent is in the child's best interest, and (C) the offending parent has successfully engaged in treatment for sex offenders or is engaged in and making progress in such treatment, if any was ordered by a court, and the treatment provider believes such contact is appropriate and poses minimal risk to the child.

(g) The presumption established in (e) of this subsection may be rebutted only after a written finding that:

(i) If the child was not the victim of the sex offense committed by the person who is residing with the parent requesting residential time, (A) contact between the child and the parent residing with the convicted or adjudicated person is appropriate and that parent is able to protect the child in the presence of the convicted or adjudicated person, and (B) the convicted or adjudicated person has successfully engaged in treatment for sex offenders or is engaged in and making progress in such treatment, if any was ordered by a court, and the treatment provider believes such contact is appropriate and poses minimal risk to the child; or

(ii) If the child was the victim of the sex offense committed by the person who is residing with the parent requesting residential time, (A) contact between the child and the parent in the presence of the convicted or adjudicated person is appropriate and poses minimal risk to the child, (B) if the child is in or has been in therapy for victims of sexual abuse, the child's counselor believes such contact between the child and the parent residing with the convicted or adjudicated person in the presence of the convicted or adjudicated person is in the child's best interest, and (C) the convicted or adjudicated person has successfully engaged in treatment for sex offenders or is engaged in and making progress in such treatment, if any was ordered by a court, and the treatment provider believes contact between the parent and child in the presence of the convicted or adjudicated person is appropriate and poses minimal risk to the child.

(h) If the court finds that the parent has met the burden of rebutting the presumption under (f) of this subsection, the court may allow a parent who has been convicted as an adult of a sex offense listed in (d)(i) through (ix) of this subsection to have residential time with the child supervised by a neutral and independent adult and pursuant to an adequate plan for supervision of such residential time. The court shall not approve of a supervisor for contact between the child and the parent unless the court finds, based on the evidence, that the supervisor is willing and capable of protecting the child from harm. The court shall revoke court approval of the supervisor upon finding, based on the evidence, that the supervisor has failed to protect the child or is no longer willing or capable of protecting the child.

(i) If the court finds that the parent has met the burden of rebutting the presumption under (g) of this subsection, the court may allow a parent residing with a person who has been adjudicated as a juvenile of a sex offense listed in (e)(i) through (ix) of this subsection to have residential time with the child in the presence of the person adjudicated as a juvenile, supervised by a neutral and independent adult and pursuant to an adequate plan for supervision of such residential time. The court shall not approve of a supervisor for contact between the child and the parent unless the court finds, based on the evidence, that the supervisor is willing and capable of protecting the child from harm. The court shall revoke court approval of the supervisor upon finding, based on the evidence, that the supervisor has failed to protect the child or is no longer willing or capable of protecting the child.

(j) If the court finds that the parent has met the burden of rebutting the presumption under (g) of this subsection, the court may allow a parent residing with a person who, as an adult, has been convicted of a sex offense listed in (e)(i) through (ix) of this subsection to have residential time with the child in the presence of the convicted person supervised by a neutral and independent adult

and pursuant to an adequate plan for supervision of such residential time. The court shall not approve of a supervisor for contact between the child and the parent unless the court finds, based on the evidence, that the supervisor is willing and capable of protecting the child from harm. The court shall revoke court approval of the supervisor upon finding, based on the evidence, that the supervisor has failed to protect the child or is no longer willing or capable of protecting the child.

(k) A court shall not order unsupervised contact between the offending parent and a child of the offending parent who was sexually abused by that parent. A court may order unsupervised contact between the offending parent and a child who was not sexually abused by the parent after the presumption under (d) of this subsection has been rebutted and supervised residential time has occurred for at least two years with no further arrests or convictions of sex offenses involving children under chapter 9A.44 RCW, RCW 9A.64.020, or chapter 9.68A RCW and (i) the sex offense of the offending parent was not committed against a child of the offending parent, and (ii) the court finds that unsupervised contact between the child and the offending parent is appropriate and poses minimal risk to the child, after consideration of the testimony of a state-certified therapist, mental health counselor, or social worker with expertise in treating child sexual abuse victims who has supervised at least one period of residential time between the parent and the child, and after consideration of evidence of the offending parent's compliance with community supervision requirements, if any. If the offending parent was not ordered by a court to participate in treatment for sex offenders, then the parent shall obtain a psychosexual evaluation conducted by a certified sex offender treatment provider or a certified affiliate sex offender treatment provider indicating that the offender has the lowest likelihood of risk to reoffend before the court grants unsupervised contact between the parent and a child.

(l) A court may order unsupervised contact between the parent and a child which may occur in the presence of a juvenile adjudicated of a sex offense listed in (e)(i) through (ix) of this subsection who resides with the parent after the presumption under (e) of this subsection has been rebutted and supervised residential time has occurred for at least two years during which time the adjudicated juvenile has had no further arrests, adjudications, or convictions of sex offenses involving children under chapter 9A.44 RCW, RCW 9A.64.020, or chapter 9.68A RCW, and (i) the court finds that unsupervised contact between the child and the parent that may occur in the presence of the adjudicated juvenile is appropriate and poses minimal risk to the child, after consideration of the testimony of a state-certified therapist, mental health counselor, or social worker with expertise in treatment of child sexual abuse victims who has supervised at least one period of residential time between the parent and the child in the presence of the adjudicated juvenile, and after consideration of evidence of the adjudicated juvenile's compliance with community supervision or parole requirements, if any. If the adjudicated juvenile was not ordered by a court to participate in treatment for sex offenders, then the adjudicated juvenile shall obtain a psychosexual evaluation conducted by a certified sex offender treatment provider or a certified affiliate sex offender treatment provider indicating that the adjudicated juvenile has the lowest likelihood of risk to reoffend before the court grants unsupervised contact between the parent and a child which may occur in the presence of the adjudicated juvenile who is residing with the parent.

(m)(i) The limitations imposed by the court under (a) or (b) of this subsection shall be reasonably calculated to protect the child from the physical, sexual, or emotional abuse or harm that could result if the child has contact with the parent requesting residential time. The limitations shall also be reasonably calculated to provide for the safety of the parent who may be at risk of physical, sexual, or emotional abuse or harm that could result if the parent has contact with the parent requesting residential time. The limitations the court may impose include, but are not limited to: Supervised contact between the child and the parent or completion of relevant counseling or treatment. If the court expressly finds based on the evidence that limitations on the residential time with the child will not adequately protect the child from the harm or abuse that could result if the child has contact with the parent requesting residential time, the court shall

restrain the parent requesting residential time from all contact with the child.

(ii) The court shall not enter an order under (a) of this subsection allowing a parent to have contact with a child if the parent has been found by clear and convincing evidence in a civil action or by a preponderance of the evidence in a dependency action to have sexually abused the child, except upon recommendation by an evaluator or therapist for the child that the child is ready for contact with the parent and will not be harmed by the contact. The court shall not enter an order allowing a parent to have contact with the child in the offender's presence if the parent resides with a person who has been found by clear and convincing evidence in a civil action or by a preponderance of the evidence in a dependency action to have sexually abused a child, unless the court finds that the parent accepts that the person engaged in the harmful conduct and the parent is willing to and capable of protecting the child from harm from the person.

(iii) If the court limits residential time under (a) or (b) of this subsection to require supervised contact between the child and the parent, the court shall not approve of a supervisor for contact between a child and a parent who has engaged in physical, sexual, or a pattern of emotional abuse of the child unless the court finds based upon the evidence that the supervisor accepts that the harmful conduct occurred and is willing to and capable of protecting the child from harm. The court shall revoke court approval of the supervisor upon finding, based on the evidence, that the supervisor has failed to protect the child or is no longer willing to or capable of protecting the child.

(n) If the court expressly finds based on the evidence that contact between the parent and the child will not cause physical, sexual, or emotional abuse or harm to the child and that the probability that the parent's or other person's harmful or abusive conduct will recur is so remote that it would not be in the child's best interests to apply the limitations of (a), (b), and (m)(i) and (iii) of this subsection, or if the court expressly finds that the parent's conduct did not have an impact on the child, then the court need not apply the limitations of (a), (b), and (m)(i) and (iii) of this subsection. The weight given to the existence of a protection order issued under chapter 26.50 RCW as to domestic violence is within the discretion of the court. This subsection shall not apply when (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), and (m)(ii) of this subsection apply.

(3) A parent's involvement or conduct may have an adverse effect on the child's best interests, and the court may preclude or limit any provisions of the parenting plan, if any of the following factors exist:

(a) A parent's neglect or substantial nonperformance of parenting functions;

(b) A long-term emotional or physical impairment which interferes with the parent's performance of parenting functions as defined in RCW 26.09.004;

(c) A long-term impairment resulting from drug, alcohol, or other substance abuse that interferes with the performance of parenting functions;

(d) The absence or substantial impairment of emotional ties between the parent and the child;

(e) The abusive use of conflict by the parent which creates the danger of serious damage to the child's psychological development;

(f) A parent has withheld from the other parent access to the child for a protracted period without good cause; or

(g) Such other factors or conduct as the court expressly finds adverse to the best interests of the child.

(4) In cases involving allegations of limiting factors under subsection (2)(a)(ii) and (iii) of this section, both parties shall be screened to determine the appropriateness of a comprehensive assessment regarding the impact of the limiting factor on the child and the parties.

(5) In entering a permanent parenting plan, the court shall not draw any presumptions from the provisions of the temporary parenting plan.

~~((6))~~ (6) In determining whether any of the conduct described in this section has occurred, the court shall apply the civil rules of evidence, proof, and procedure.

~~((6))~~ (7) For the purposes of this section, a parent's child means that parent's natural child, adopted child, or stepchild.

NEW SECTION. Sec. 304. A new section is added to chapter 26.09 RCW to read as follows:

Before entering a permanent parenting plan, the court shall determine the existence of any information and proceedings relevant to the placement of the child that are available in the judicial information system and databases.

Sec. 305. RCW 26.12.177 and 2005 c 282 s 30 are each amended to read as follows:

(1) All guardians ad litem and investigators appointed under this title must comply with the training requirements established under RCW 2.56.030(15), prior to their appointment in cases under Title 26 RCW, except that volunteer guardians ad litem or court-appointed special advocates may comply with alternative training requirements approved by the administrative office of the courts that meet or exceed the statewide requirements. In cases involving allegations of limiting factors under RCW 26.09.191, the guardians ad litem and investigators appointed under this title must have additional relevant training under RCW 2.56.030(15) and as recommended under section 306 of this act, when it is available.

(2)(a) Each guardian ad litem program for compensated guardians ad litem shall establish a rotational registry system for the appointment of guardians ad litem and investigators under this title. If a judicial district does not have a program the court shall establish the rotational registry system. Guardians ad litem and investigators under this title shall be selected from the registry except in exceptional circumstances as determined and documented by the court. The parties may make a joint recommendation for the appointment of a guardian ad litem from the registry.

(b) In judicial districts with a population over one hundred thousand, a list of three names shall be selected from the registry and given to the parties along with the background information as specified in RCW 26.12.175(3), including their hourly rate for services. Each party may, within three judicial days, strike one name from the list. If more than one name remains on the list, the court shall make the appointment from the names on the list. In the event all three names are stricken the person whose name appears next on the registry shall be appointed.

(c) If a party reasonably believes that the appointed guardian ad litem lacks the necessary expertise for the proceeding, charges an hourly rate higher than what is reasonable for the particular proceeding, or has a conflict of interest, the party may, within three judicial days from the appointment, move for substitution of the appointed guardian ad litem by filing a motion with the court.

(d) Under this section, within either registry referred to in (a) of this subsection, a subregistry may be created that consists of guardians ad litem under contract with the department of social and health services' division of child support. Guardians ad litem on such a subregistry shall be selected and appointed in state-initiated paternity cases only.

(e) The superior court shall remove any person from the guardian ad litem registry who misrepresents his or her qualifications pursuant to a grievance procedure established by the court.

(3) The rotational registry system shall not apply to court-appointed special advocate programs.

NEW SECTION. Sec. 306. A new section is added to chapter 2.53 RCW to read as follows:

(1)(a) The legislature requests that the supreme court convene and support a task force to establish statewide protocols for dissolution cases.

(b) The task force shall develop: (i) Clear and concise dispute resolution procedures; (ii) in conjunction with the office of crime victims advocacy, a sexual assault training curriculum; (iii) consistent standards for parenting evaluators; and (iv) a domestic violence training curriculum for individuals making evaluations in dissolution cases. The task force shall make recommendations concerning specialized evaluators for dissolution cases, dissolution forms and procedures, and fees.

(c) The task force shall also study issues related to: (i) Venue for filing and modifying petitions; and (ii) the program established under section 201 of this act, including but not limited to: (A) the minimum components of the program; (B) the extent of the program; (C) the administration of the program; (D) the handling of confidential information obtained; and (E) the selection of appropriate short screen tools to be utilized in the administration of the program.

(2) The governor shall appoint the following members of the task force:

- (a) A representative of the office of crime victims advocacy;
- (b) A professor of law specializing in family law;
- (c) A representative from a statewide domestic violence advocacy group;
- (d) A representative from a community sexual assault program;
- (e) Two noncustodial parents with at least one representing the interests of low-income noncustodial parents; and
- (f) Two custodial parents with at least one representing the interests of low-income custodial parents.

(3) The chief justice of the supreme court is requested to appoint the following members of the task force:

- (a) Two representatives from the superior court judges association, including a superior court judge and a court commissioner who is familiar with dissolution issues;
- (b) A representative from the administrative office of the courts;
- (c) A representative from the Washington state bar association's family law executive committee;
- (d) A representative from a qualified legal aid provider that receives funding from the office of civil legal aid;
- (e) A representative of the Washington state association of county clerks; and
- (f) A guardian ad litem.

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

(5) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives, with at least one member.

(6) Membership of the task force may also include members of the civil legal aid oversight committee, including but not limited to the legislative members of the committee.

(7) The task force shall carefully consider all input received from interested organizations and individuals during the task force process.

(8) The task force may form an executive committee, create subcommittees, designate alternative representatives, and define other procedures, as needed, for operation of the task force.

(9) Legislative members of the task force shall be reimbursed for travel expenses under RCW 44.04.120. Nonlegislative members, except those representing an employee or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(10) The task force shall present preliminary findings and conclusions to the governor's office, the supreme court, and the appropriate committees of the legislature by September 1, 2008. A final report and recommendations, including recommendations for legislative action, if necessary, and recommendations regarding the program under section 201 of this act, shall be completed by December 1, 2008.

(11) This section expires June 30, 2009.

PART IV - Additional Services

NEW SECTION. Sec. 401. A new section is added to chapter 26.09 RCW to read as follows:

In order to provide judicial officers with better information and to facilitate decision making which allows for the protection of children from physical, mental, or emotional harm and in order to facilitate consistent healthy contact between both parents and their children:

(1) Parties and witnesses who require the assistance of interpreters shall be provided access to qualified interpreters pursuant to chapter 2.42 or 2.43 RCW. To the extent practicable and within

available resources, interpreters shall also be made available at dissolution-related proceedings.

(2) Parties and witnesses who require literacy assistance shall be referred to the multipurpose service centers established in chapter 28B.04 RCW.

(3) In matters involving guardian ad litem, the court shall specify the hourly rate the guardian ad litem may charge for his or her services, and shall specify the maximum amount the guardian ad litem may charge without additional review. Counties may, and to the extent state funding is provided therefor counties shall, provide indigent parties with guardian ad litem services at a reduced or waived fee.

(4) Parties may request to participate by telephone or interactive videoconference. The court may allow telephonic or interactive videoconference participation of one or more parties at any proceeding in its discretion. The court may also allow telephonic or interactive videoconference participation of witnesses.

(5) In cases involving domestic violence or child abuse, if residential time is ordered, the court may:

- (a) Order exchange of a child to occur in a protected setting;
- (b) Order residential time supervised by a neutral and independent adult and pursuant to an adequate plan for supervision of such residential time. The court shall not approve of a supervisor for contact between the child and the parent unless the supervisor is willing to and capable of protecting the child from harm. The court shall revoke court approval of the supervisor if the court determines, after a hearing, that the supervisor has failed to protect the child or is no longer willing or capable of protecting the child. If the court allows a family or household member to supervise residential time, the court shall establish conditions to be followed during residential time.

(6) In cases in which the court finds that the parties do not have a satisfactory history of cooperation or there is a high level of parental conflict, the court may order the parties to use supervised visitation and safe exchange centers or alternative safe locations to facilitate the exercise of residential time.

PART V - Mediation

Sec. 501. RCW 26.09.015 and 2005 c 172 s 17 are each amended to read as follows:

(1) In any proceeding under this chapter, the matter may be set for mediation of the contested issues before or concurrent with the setting of the matter for hearing. The purpose of the mediation proceeding shall be to reduce acrimony which may exist between the parties and to develop an agreement assuring the child's close and continuing contact with both parents after the marriage is dissolved. The mediator shall use his or her best efforts to effect a settlement of the dispute.

(2)(a) Each superior court may make available a mediator. The court shall use the most cost-effective mediation services that are readily available unless there is good cause to access alternative providers. The mediator may be a member of the professional staff of a family court or mental health services agency, or may be any other person or agency designated by the court. In order to provide mediation services, the court is not required to institute a family court.

(b) In any proceeding involving issues relating to residential time or other matters governed by a parenting plan, the matter may be set for mediation of the contested issues before or concurrent with the setting of the matter for hearing. Counties may, and to the extent state funding is provided therefor counties shall, provide both predecree and postdecree mediation at reduced or waived fee to the parties within one year of the filing of the dissolution petition.

(3)(a) Mediation proceedings under this chapter shall be governed in all respects by chapter 7.07 RCW, except as follows:

(i) Mediation communications in postdecree mediations mandated by a parenting plan are admissible in subsequent proceedings for the limited purpose of proving:

(A) Abuse, neglect, abandonment, exploitation, or unlawful harassment as defined in RCW 9A.46.020(1), of a child;

(B) Abuse or unlawful harassment as defined in RCW 9A.46.020(1), of a family or household member as defined in RCW 26.50.010(2); or

(C) That a parent used or frustrated the dispute resolution process without good reason for purposes of RCW 26.09.184(3)(d).

(ii) If a postdecree mediation-arbitration proceeding is required pursuant to a parenting plan and the same person acts as both mediator and arbitrator, mediation communications in the mediation phase of such a proceeding may be admitted during the arbitration phase, and shall be admissible in the judicial review of such a proceeding under RCW 26.09.184(3)(e) to the extent necessary for such review to be effective.

(b) None of the exceptions under (a)(i) and (ii) of this subsection shall subject a mediator to compulsory process to testify except by court order for good cause shown, taking into consideration the need for the mediator's testimony and the interest in the mediator maintaining an appearance of impartiality. If a mediation communication is not privileged under (a)(i) of this subsection or that portion of (a)(ii) of this subsection pertaining to judicial review, only the portion of the communication necessary for the application of the exception may be admitted, and such admission of evidence shall not render any other mediation communication discoverable or admissible except as may be provided in chapter 7.07 RCW.

(4) The mediator shall assess the needs and interests of the child or children involved in the controversy and may interview the child or children if the mediator deems such interview appropriate or necessary.

(5) Any agreement reached by the parties as a result of mediation shall be reported to the court and to counsel for the parties by the mediator on the day set for mediation or any time thereafter designated by the court.

PART VI - Residential Time

Sec. 601. RCW 26.09.184 and 1991 c 367 s 7 are each amended to read as follows:

(1) OBJECTIVES. The objectives of the permanent parenting plan are to:

(a) Provide for the child's physical care;

(b) Maintain the child's emotional stability;

(c) Provide for the child's changing needs as the child grows and matures, in a way that minimizes the need for future modifications to the permanent parenting plan;

(d) Set forth the authority and responsibilities of each parent with respect to the child, consistent with the criteria in RCW 26.09.187 and 26.09.191;

(e) Minimize the child's exposure to harmful parental conflict;

(f) Encourage the parents, where appropriate under RCW 26.09.187 and 26.09.191, to meet their responsibilities to their minor children through agreements in the permanent parenting plan, rather than by relying on judicial intervention; and

(g) To otherwise protect the best interests of the child consistent with RCW 26.09.002.

(2) CONTENTS OF THE PERMANENT PARENTING PLAN. The permanent parenting plan shall contain provisions for resolution of future disputes between the parents, allocation of decision-making authority, and residential provisions for the child.

(3) CONSIDERATION IN ESTABLISHING THE PERMANENT PARENTING PLAN. In establishing a permanent parenting plan, the court may consider the cultural heritage and religious beliefs of a child.

(4) DISPUTE RESOLUTION. A process for resolving disputes, other than court action, shall be provided unless precluded or limited by RCW 26.09.187 or 26.09.191. A dispute resolution process may include counseling, mediation, or arbitration by a specified individual or agency, or court action. In the dispute resolution process:

(a) Preference shall be given to carrying out the parenting plan;

(b) The parents shall use the designated process to resolve disputes relating to implementation of the plan, except those related to financial support, unless an emergency exists;

(c) A written record shall be prepared of any agreement reached in counseling or mediation and of each arbitration award and shall be provided to each party;

(d) If the court finds that a parent has used or frustrated the dispute resolution process without good reason, the court shall award attorneys' fees and financial sanctions to the prevailing parent;

(e) The parties have the right of review from the dispute resolution process to the superior court; and

(f) The provisions of (a) through (e) of this subsection shall be set forth in the decree.

~~((4))~~ (5) ALLOCATION OF DECISION-MAKING AUTHORITY.

(a) The plan shall allocate decision-making authority to one or both parties regarding the children's education, health care, and religious upbringing. The parties may incorporate an agreement related to the care and growth of the child in these specified areas, or in other areas, into their plan, consistent with the criteria in RCW 26.09.187 and 26.09.191. Regardless of the allocation of decision-making in the parenting plan, either parent may make emergency decisions affecting the health or safety of the child.

(b) Each parent may make decisions regarding the day-to-day care and control of the child while the child is residing with that parent.

(c) When mutual decision making is designated but cannot be achieved, the parties shall make a good-faith effort to resolve the issue through the dispute resolution process.

~~((5))~~ (6) RESIDENTIAL PROVISIONS FOR THE CHILD. The plan shall include a residential schedule which designates in which parent's home each minor child shall reside on given days of the year, including provision for holidays, birthdays of family members, vacations, and other special occasions, consistent with the criteria in RCW 26.09.187 and 26.09.191.

~~((6))~~ (7) PARENTS' OBLIGATION UNAFFECTED. If a parent fails to comply with a provision of a parenting plan or a child support order, the other parent's obligations under the parenting plan or the child support order are not affected. Failure to comply with a provision in a parenting plan or a child support order may result in a finding of contempt of court, under RCW 26.09.160.

~~((7))~~ (8) PROVISIONS TO BE SET FORTH IN PERMANENT PARENTING PLAN. The permanent parenting plan shall set forth the provisions of subsections ~~((3))~~ (4)(a) through (c), ~~((4))~~ (5)(b) and (c), and ~~((6))~~ (7) of this section.

Sec. 602. RCW 26.09.015 and 2005 c 172 s 17 are each amended to read as follows:

(1) In any proceeding under this chapter, the matter may be set for mediation of the contested issues before or concurrent with the setting of the matter for hearing. The purpose of the mediation proceeding shall be to reduce acrimony which may exist between the parties and to develop an agreement assuring the child's close and continuing contact with both parents after the marriage is dissolved. The mediator shall use his or her best efforts to effect a settlement of the dispute.

(2) Each superior court may make available a mediator. The mediator may be a member of the professional staff of a family court or mental health services agency, or may be any other person or agency designated by the court. In order to provide mediation services, the court is not required to institute a family court.

(3)(a) Mediation proceedings under this chapter shall be governed in all respects by chapter 7.07 RCW, except as follows:

(i) Mediation communications in postdecree mediations mandated by a parenting plan are admissible in subsequent proceedings for the limited purpose of proving:

(A) Abuse, neglect, abandonment, exploitation, or unlawful harassment as defined in RCW 9A.46.020(1), of a child;

(B) Abuse or unlawful harassment as defined in RCW 9A.46.020(1), of a family or household member as defined in RCW 26.50.010(2); or

(C) That a parent used or frustrated the dispute resolution process without good reason for purposes of RCW 26.09.184~~((3))~~ (4)(d).

(ii) If a postdecree mediation-arbitration proceeding is required pursuant to a parenting plan and the same person acts as both mediator and arbitrator, mediation communications in the mediation phase of such a proceeding may be admitted during the arbitration phase, and shall be admissible in the judicial review of such a

proceeding under RCW 26.09.184(~~((3))~~) (4)(e) to the extent necessary for such review to be effective.

(b) None of the exceptions under (a)(i) and (ii) of this subsection shall subject a mediator to compulsory process to testify except by court order for good cause shown, taking into consideration the need for the mediator's testimony and the interest in the mediator maintaining an appearance of impartiality. If a mediation communication is not privileged under (a)(i) of this subsection or that portion of (a)(ii) of this subsection pertaining to judicial review, only the portion of the communication necessary for the application of the exception may be admitted, and such admission of evidence shall not render any other mediation communication discoverable or admissible except as may be provided in chapter 7.07 RCW.

(4) The mediator shall assess the needs and interests of the child or children involved in the controversy and may interview the child or children if the mediator deems such interview appropriate or necessary.

(5) Any agreement reached by the parties as a result of mediation shall be reported to the court and to counsel for the parties by the mediator on the day set for mediation or any time thereafter designated by the court.

Sec. 603. RCW 26.09.187 and 1989 c 375 s 10 are each amended to read as follows:

(1) DISPUTE RESOLUTION PROCESS. The court shall not order a dispute resolution process, except court action, when it finds that any limiting factor under RCW 26.09.191 applies, or when it finds that either parent is unable to afford the cost of the proposed dispute resolution process. If a dispute resolution process is not precluded or limited, then in designating such a process the court shall consider all relevant factors, including:

(a) Differences between the parents that would substantially inhibit their effective participation in any designated process;

(b) The parents' wishes or agreements and, if the parents have entered into agreements, whether the agreements were made knowingly and voluntarily; and

(c) Differences in the parents' financial circumstances that may affect their ability to participate fully in a given dispute resolution process.

(2) ALLOCATION OF DECISION-MAKING AUTHORITY.

(a) AGREEMENTS BETWEEN THE PARTIES. The court shall approve agreements of the parties allocating decision-making authority, or specifying rules in the areas listed in RCW 26.09.184(~~((4))~~) (5)(a), when it finds that:

(i) The agreement is consistent with any limitations on a parent's decision-making authority mandated by RCW 26.09.191; and

(ii) The agreement is knowing and voluntary.

(b) SOLE DECISION-MAKING AUTHORITY. The court shall order sole decision-making to one parent when it finds that:

(i) A limitation on the other parent's decision-making authority is mandated by RCW 26.09.191;

(ii) Both parents are opposed to mutual decision making;

(iii) One parent is opposed to mutual decision making, and such opposition is reasonable based on the criteria in (c) of this subsection;

(c) MUTUAL DECISION-MAKING AUTHORITY. Except as provided in (a) and (b) of this subsection, the court shall consider the following criteria in allocating decision-making authority:

(i) The existence of a limitation under RCW 26.09.191;

(ii) The history of participation of each parent in decision making in each of the areas in RCW 26.09.184(~~((4))~~) (5)(a);

(iii) Whether the parents have a demonstrated ability and desire to cooperate with one another in decision making in each of the areas in RCW 26.09.184(~~((4))~~) (5)(a); and

(iv) The parents' geographic proximity to one another, to the extent that it affects their ability to make timely mutual decisions.

(3) RESIDENTIAL PROVISIONS.

(a) The court shall make residential provisions for each child which encourage each parent to maintain a loving, stable, and nurturing relationship with the child, consistent with the child's developmental level and the family's social and economic circumstances. The child's residential schedule shall be consistent with RCW 26.09.191. Where the limitations of RCW 26.09.191 are

not dispositive of the child's residential schedule, the court shall consider the following factors:

(i) The relative strength, nature, and stability of the child's relationship with each parent (~~(including whether a parent has taken greater responsibility for performing parenting functions relating to the daily needs of the child)~~);

(ii) The agreements of the parties, provided they were entered into knowingly and voluntarily;

(iii) Each parent's past and potential for future performance of parenting functions as defined in RCW 26.09.004(3), including whether a parent has taken greater responsibility for performing parenting functions relating to the daily needs of the child;

(iv) The emotional needs and developmental level of the child;

(v) The child's relationship with siblings and with other significant adults, as well as the child's involvement with his or her physical surroundings, school, or other significant activities;

(vi) The wishes of the parents and the wishes of a child who is sufficiently mature to express reasoned and independent preferences as to his or her residential schedule; and

(vii) Each parent's employment schedule, and shall make accommodations consistent with those schedules.

Factor (i) shall be given the greatest weight.

(b) ~~Where the limitations of RCW 26.09.191 are not dispositive,~~ the court may order that a child frequently alternate his or her residence between the households of the parents for brief and substantially equal intervals of time ~~(only if the court finds the following:~~

~~(i) No limitation exists under RCW 26.09.191;~~

~~(ii)(A) The parties have agreed to such provisions and the agreement was knowingly and voluntarily entered into; or~~

~~(B) The parties have a satisfactory history of cooperation and shared performance of parenting functions; the parties are available to each other, especially in geographic proximity, to the extent necessary to ensure their ability to share performance of the parenting functions; and~~

~~(iii) The provisions are in the best interests of the child) if such provision is in the best interests of the child. In determining whether such an arrangement is in the best interests of the child, the court may consider the parties geographic proximity to the extent necessary to ensure the ability to share performance of the parenting functions.~~

(c) For any child, residential provisions may contain any reasonable terms or conditions that facilitate the orderly and meaningful exercise of residential time by a parent, including but not limited to requirements of reasonable notice when residential time will not occur.

Sec. 604. RCW 26.09.197 and 1987 c 460 s 14 are each amended to read as follows:

After considering the affidavit required by RCW 26.09.194(1) and other relevant evidence presented, the court shall make a temporary parenting plan that is in the best interest of the child. In making this determination, the court shall give particular consideration to:

(1) ~~((Which parent has taken greater responsibility during the last twelve months for performing parenting functions relating to the daily needs of the child))~~ The relative strength, nature, and stability of the child's relationship with each parent; and

(2) Which parenting arrangements will cause the least disruption to the child's emotional stability while the action is pending.

The court shall also consider the factors used to determine residential provisions in the permanent parenting plan.

PART VII - Data Tracking

NEW SECTION. Sec. 701. A new section is added to chapter 26.09 RCW to read as follows:

The parties to dissolution matters shall file with the clerk of the court the residential time summary report. The summary report shall be on the form developed by the administrative office of the courts in consultation with the department of social and health services division of child support. The parties must complete the form and file the form with the court order. The clerk of the court must

forward the form to the division of child support on at least a monthly basis.

NEW SECTION. Sec. 702. A new section is added to chapter 26.18 RCW to read as follows:

(1) The administrative office of the courts in consultation with the department of social and health services, division of child support, shall develop a residential time summary report form to provide for the reporting of summary information in every case in which residential time with children is to be established or modified.

(2) The residential time summary report must include at a minimum: A breakdown of residential schedules with a reasonable degree of specificity regarding actual time with each parent, including enforcement practices, representation status of the parties, whether domestic violence, child abuse, chemical dependency, or mental health issues exist, and whether the matter was agreed or contested.

(3) The division of child support shall compile and electronically transmit the information in the residential time summary reports to the administrative office of the courts for purposes of tracking residential time awards by parent, enforcement practices, representation status of the parties, the existence of domestic violence, child abuse, chemical dependency, or mental health issues and whether the matter was agreed or contested.

(4) The administrative office of the courts shall report the compiled information, organized by each county, on at least an annual basis. The information shall be itemized by quarter. These reports shall be made publicly available through the judicial information public access services and shall not contain any personal identifying information of parties in the proceedings.

PART VIII - Miscellaneous

NEW SECTION. Sec. 801. Part headings used in this act are not any part of the law.

NEW SECTION. Sec. 802. If specific funding for the purposes of section 306 of this act, referencing section 306 of this act by bill or chapter number and section number, is not provided by June 30, 2007, in the omnibus appropriations act, section 306 of this act is null and void.

NEW SECTION. Sec. 803. If specific funding for the purposes of section 701 of this act, referencing section 701 of this act by bill or chapter number and section number, is not provided by June 30, 2007, in the omnibus appropriations act, section 701 of this act is null and void.

NEW SECTION. Sec. 804. If specific funding for the purposes of section 702 of this act, referencing section 702 of this act by bill or chapter number and section number, is not provided by June 30, 2007, in the omnibus appropriations act, section 702 of this act is null and void.

NEW SECTION. Sec. 805. (1) Sections 201 and 204 of this act take effect July 1, 2009.

- (2) Section 202 of this act takes effect January 1, 2008.
 (3) Section 501 of this act takes effect January 1, 2009."

Correct the title.

Representatives Lantz and Rodne spoke in favor of the adoption of the amendment.

The amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House was placed on final passage.

Representatives Lantz and Rodne spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5470, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5470, as amended by the House and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 95.

Excused: Representatives Condotta, DeBolt and Sullivan, B. - 3.

SECOND SUBSTITUTE SENATE BILL NO. 5470, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 14, 2007

Mr. Speaker:

The Senate refuses to concur in the House amendment to SECOND SUBSTITUTE SENATE BILL NO. 5955 and asks the House to recede therefrom, and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

There being no objection, the rules were suspended and SECOND SUBSTITUTE SENATE BILL NO. 5955 was returned to second reading for purpose of amendment.

SECOND READING

SECOND SUBSTITUTE SENATE BILL NO. 5955, By Senate Committee on Ways & Means (originally sponsored by Senators Tom, McAuliffe, Kauffman, Oemig, Kilmer, Eide, Kohl-Welles and Rasmussen)

Regarding educator preparation, professional development, and compensation.

Representative P. Sullivan moved the adoption of amendment (880):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28A.415 RCW to read as follows:

SCHOOL DISTRICT LEADERSHIP ACADEMY. (1) Research supports the value of quality school and school district leadership. Effective leadership is critical to improving student

learning and transforming underperforming schools and school districts into world-class learning centers.

(2) A public-private partnership is established to develop, pilot, and implement the Washington state leadership academy to focus on the development and enhancement of personal leadership characteristics and the teaching of effective practices and skills demonstrated by school and district administrators who are successful managers and instructional leaders. It is the goal of the academy to provide state-of-the-art programs and services across the state.

(3) Academy partners include the state superintendent and principal professional associations, private nonprofit foundations, institutions of higher education with approved educator preparation programs, the professional educator standards board, the office of the superintendent of public instruction, educational service districts, the state school business officers' association, and other entities identified by the partners. The partners shall designate an independent organization to act as the fiscal agent for the academy and shall establish a board of directors to oversee and direct the academy's finances, services, and programs. The academy shall be supported by a national research institution with demonstrated expertise in educational leadership.

(4) Initial development of academy course content and activities shall be supported by private funds. Initial tasks of the academy are to:

(a) Finalize a comprehensive design of the academy and the development of the curriculum frameworks for a comprehensive leadership development program that includes coursework, practicum, mentoring, and evaluation components;

(b) Develop curriculum for individual leadership topics;

(c) Pilot the curriculum and all program components; and

(d) Modify the comprehensive design, curriculum coursework, practicum, and mentoring programs based on the research results gained from pilot activities.

(5) The board of directors shall report semiannually to the superintendent of public instruction on the financial contributions provided by foundations and other organizations to support the work of the academy. The board of directors shall report by December 31st each year to the superintendent of public instruction on the programs and services provided, numbers of participants in the various academy activities, evaluation activities regarding program and participant outcomes, and plans for the academy's future development.

(6) The board of directors shall make recommendations for changes in superintendent and principal preparation programs, the administrator licensure system, and continuing education requirements.

NEW SECTION. Sec. 2. PROFESSIONAL EDUCATOR STANDARDS BOARD DUTIES. (1) The purpose of the duties in this section for the professional educator standards board is to take the next steps in developing quality teaching knowledge and skill in the state's teaching ranks. The duties build upon the current teacher development foundation that requires demonstrated teaching competency, requires evidence of positive impact on student learning, and focuses on furthering state kindergarten through twelfth grade learning goals through instructional skill alignment.

(2) The professional educator standards board shall:

(a) By December 2007:

(i) Adopt new knowledge and skill standards that prepare all individuals seeking residency teacher certification to integrate mathematics across all content areas; and

(ii) Adopt new certification requirements for individuals seeking residency teacher certification as elementary education or middle level and secondary mathematics teachers to assure adequate content and instructional strategy preparation to teach to the kindergarten through twelfth grades state mathematics and science standards;

(b) By June 2009:

(i) Set performance standards and develop, pilot, and implement a uniform and externally administered professional-level certification assessment based on demonstrated teaching skill. In the development of this assessment, consideration shall be given to changes in professional certification program components such as the culminating seminar;

(ii) Summarize its work in the development of the assessment in (b)(i) of this subsection in the annual reports required by RCW 28A.410.240; and

(iii) Review and revise the standards for higher education teacher preparation programs to incorporate updated practices to enhance teacher success in a knowledge and skill-based performance system that emphasizes strong content, applied learning, and personal, meaningful connections with students; and

(c) By December 2009, review and revise as needed teacher preparation standards and requirements to focus on diversity in cultural knowledge and respect.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.415 RCW to read as follows:

MATH, SCIENCE, AND TARGETED SECONDARY READING INITIATIVE. Sections 3 through 6 of this act represent core components of a comprehensive initiative to improve mathematics, science, and targeted secondary reading education and achievement through educator professional development and support. The initiative focuses on:

(1) A regional delivery system to provide professional development and support to schools and school districts through the educational service districts;

(2) A tiered support system that provides resources, services, assistance, and intervention for schools and districts, depending on their levels of need;

(3) Leveraging existing public and private resources and district-initiated activities; and

(4) Accountability through outcome-oriented performance agreements, contracts, reporting, and data collection.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.415 RCW to read as follows:

MATH, SCIENCE, AND TARGETED SECONDARY READING INITIATIVE. (1) Subject to funds appropriated for this purpose, the mathematics, science, and targeted secondary reading improvement initiative shall provide the capacity and resources for the superintendent of public instruction, educational service districts, school districts, and schools to conduct a broad range of activities, depending on the level of need and priority of the school or district. The focus of the initiative is on building and enhancing the quality of mathematics and science instruction.

(2) Activities supported by the initiative include, but are not limited to:

(a) Targeted professional development in content knowledge, content-specific pedagogy, differentiated instruction, effective teaching strategies, learning modules, and mathematics and science standards and curriculum;

(b) Use and analysis of diagnostic assessments and other data on student achievement to improve instruction;

(c) Curriculum alignment and development or purchase of supplemental materials;

(d) Integration of technology; and

(e) Mentors and instructional coaches.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.415 RCW to read as follows:

MATH, SCIENCE, AND TARGETED SECONDARY READING INITIATIVE. (1) In support of the mathematics, science, and targeted secondary reading improvement initiative, the office of the superintendent of public instruction shall:

(a) In collaboration with the educational service districts, develop a methodology for distributing funds appropriated for activities under the tiered support system in this section among the educational service districts and among the three tiers of support. The methodology shall take into account the anticipated demand and need for services by school districts in each tier and the size of those school districts. The methodology shall also reflect a higher priority and greater need for support and resources for schools and districts in tier three;

(b) Develop guidelines for educational service districts in administering grants, developing district improvement agreements, and implementing intensive intervention and support services. The

guidelines shall not require all educational service districts to follow the same procedures in all circumstances, but shall ensure general equity for school districts across the state in how the districts may access resources under the initiative and the activities and services that are provided by the educational service districts;

(c) Identify the schools and school districts eligible for tier three intensive intervention and support, based on low student performance in mathematics and science. The superintendent shall consider whether the school has the capacity to feasibly integrate additional resources with any existing state or federal improvement funds. To the maximum extent possible, the identification of and the intensive intervention services provided to tier three schools and districts shall align with the accountability plan developed by the state board of education; and

(d) In collaboration with the educational service districts, develop guidelines and a common reporting format for collecting data and information about the activities and outcomes under the initiative and designate one or more common diagnostic assessments for districts to use in reporting and monitoring student achievement.

(2)(a) If funds are appropriated, resources for the mathematics, science, and targeted secondary reading improvement initiative shall be provided through the office of the superintendent of public instruction and educational service districts to schools and school districts based on a tiered support system. The legislature's intent is that resources from the mathematics, science, and targeted secondary reading improvement initiative are provided over a four-year period.

(b) Tier one: Initiative grants. School districts may apply on a competitive basis to their educational service district for grants to support activities to improve mathematics, science, and secondary reading instruction. A district may contract with the educational service district for services, use the grant for district-initiated activities, or both. Tier one districts must demonstrate how district resources and resources from public-private partnerships shall be used to leverage the grant funds. Tier one grant recipients must identify measurable outcomes from the activities supported by the grant and report results in a prescribed format, including student achievement data from designated diagnostic assessments.

(c) Tier two: Improvement agreements. School districts may work with the office of the superintendent of public instruction and educational service districts to plan, develop, and implement a mathematics, science, and targeted secondary reading improvement initiative tailored to the needs of the district. The office of the superintendent of public instruction, the educational service district, and the school district shall develop a joint agreement that identifies the services and support to be provided by the educational service district, the activities to be conducted by the district using improvement agreement funds, and the expected measurable outcomes from the activities. Recipients of funds under a tier two improvement agreement must report results of the activities supported by the agreement in a prescribed format, including student achievement data from designated diagnostic assessments.

(d) Tier three: Intensive intervention and support. School districts and schools with low student performance in mathematics, science, and/or secondary reading as identified by the superintendent of public instruction under subsection (1) of this section are eligible for intensive intervention and support coordinated by the office of the superintendent of public instruction and/or the educational service district. School districts or individual schools may receive tier three support. Recipients of funds under tier three support must:

(i) Participate in an audit of the mathematics, science, and secondary reading instructional delivery system, including policies and practices, curriculum alignment, teacher pedagogy and content knowledge, and assessment of overall climate and practice compared to best practices;

(ii) Develop, with assistance from the educational service district, a school or district intervention plan that focuses on areas of highest need and provides intensive professional development in those areas;

(iii) Participate in professional development using the services of a technical assistance team that includes a trained and experienced facilitator and mathematics, science, or reading instructional coaches to provide job-embedded professional development; and

(iv) Identify measurable outcomes from the activities supported by the grant and report results in a prescribed format, including student achievement data from designated diagnostic assessments.

NEW SECTION. Sec. 6. A new section is added to chapter 28A.415 RCW to read as follows:

MATH, SCIENCE, AND TARGETED SECONDARY READING INITIATIVE. (1) Educational service districts shall coordinate with the superintendent of public instruction to develop and maintain the capacity to provide administrative, professional development, technical assistance, and intervention services under the mathematics, science, and targeted secondary reading improvement initiative to support school districts as required under section 5 of this act, including:

(a) Administering, reviewing, and monitoring grants for tier one grant recipients and providing contracted services;

(b) Developing, administering, and monitoring tier two improvement agreements and providing support and services under the terms of the agreements; and

(c) Coordinating and providing the intensive intervention and support for tier three schools and districts, including the instructional audit, intervention plan, and intervention team.

(2) Educational service districts shall also:

(a) Develop public-private partnerships and seek external grants and funds to leverage the state resources provided to support the mathematics and science improvement initiative;

(b) Collect, compile, and disseminate data and information about the activities and outcomes under the initiative, including student achievement data from designated diagnostic assessments; and

(c) Develop appropriate reporting and monitoring procedures to ensure accountability for the use of funds distributed to school districts through the tiered support system and for the achievement of desired outcomes.

NEW SECTION. Sec. 7. A new section is added to chapter 28A.415 RCW to read as follows:

REGIONAL PROFESSIONAL DEVELOPMENT PARTNERSHIPS. The office of the superintendent of public instruction shall:

(1) Create partnerships with the educational service districts or public or private institutions of higher education with approved educator preparation programs to develop and deliver professional development learning opportunities for educators that fulfill the goals and address the activities described in sections 3 through 6 and section 9 of this act. The partnerships shall:

(a) Support school districts by providing professional development leadership, courses, and consultation services to school districts in their implementation of professional development activities, including the activities described in sections 3 through 6 and section 9 of this act; and

(b) Support one another in the delivery of state-level and regional-level professional development activities such as state conferences and regional accountability institutes; and

(2) Enter into a performance agreement with each educational service district to clearly articulate partner responsibilities and assure fidelity for the delivery of professional development initiatives including job-embedded practices. Components of such performance agreements shall include:

(a) Participation in the development of various professional development workshops, programs, and activities;

(b) Characteristics and qualifications of professional development staff supported by the program;

(c) Methods to ensure consistent delivery of professional development services; and

(d) Reporting responsibilities related to services provided, program participation, outcomes, and recommendations for service improvement.

Sec. 8. RCW 28A.310.350 and 1977 ex.s. c 283 s 10 are each amended to read as follows:

EDUCATIONAL SERVICE DISTRICTS. The basic core services and cost upon which educational service districts are budgeted shall include, but not be limited to, the following:

(1) Educational service district administration and facilities such as office space, maintenance and utilities;

(2) Cooperative administrative services such as assistance in carrying out procedures to abolish sex and race bias in school programs, fiscal services, grants management services, special education services and transportation services;

(3) Personnel services such as certification/registration services;

(4) Learning resource services such as audio visual aids;

(5) Cooperative curriculum services such as health promotion and health education services, in-service training, workshops and assessment; ~~(and)~~

(6) Professional development services identified by statute or the omnibus appropriations act; and

(7) Special needs of local education agencies.

NEW SECTION. Sec. 9. A new section is added to chapter 28A.415 RCW to read as follows:

MATHEMATICS AND SCIENCE TEACHER PROFESSIONAL DEVELOPMENT. (1) Subject to funds appropriated for this purpose, targeted professional development programs, to be known as learning improvement days, are authorized to further the development of outstanding mathematics, science, and reading teaching and learning opportunities in the state of Washington. The intent of this section is to provide guidance for the learning improvement days in the omnibus appropriations act. The learning improvement days authorized in this section shall not be considered part of the definition of basic education.

(2) The expected outcomes of these programs are:

(a) Provision of meaningful, targeted professional development for all teachers in mathematics, science, or reading;

(b) Increased knowledge and instructional skill for mathematics, science, or reading teachers;

(c) Increased use of curriculum materials with supporting diagnostic and supplemental materials that align with state standards;

(d) Skillful guidance for students participating in alternative assessment activities;

(e) Increased rigor of course offerings especially in mathematics, science, and reading;

(f) Increased student opportunities for focused, applied mathematics and science classes;

(g) Increased student success on state achievement measures; and

(h) Increased student appreciation of the value and uses of mathematics, science, and reading knowledge and exploration of related careers.

(3) School districts receiving resources under this section shall submit reports to the superintendent of public instruction regarding the use of the funds; how the use of the funds is associated with measurable improvement in the expected outcomes described under subsection (2) of this section; and how other professional development resources and programs authorized in statute or in the omnibus appropriations act contribute to the expected outcomes. The superintendent of public instruction and the office of financial management shall collaborate on required report content and format.

NEW SECTION. Sec. 10. A new section is added to chapter 28A.415 RCW to read as follows:

RECRUITING WASHINGTON TEACHERS. (1) The recruiting Washington teachers program is established to recruit and provide training and support for high school students to enter the teaching profession, especially in teacher shortage areas and among under-represented groups and multilingual, multicultural students. The program shall be administered by the professional educator standards board.

(2) The program shall consist of the following components:

(a) Targeted recruitment of diverse students, including but not limited to students from under-represented groups and multilingual, multicultural students in grades nine through twelve through outreach and communication strategies. The focus of recruitment efforts shall be on encouraging students to consider and explore becoming future teachers in mathematics, science, bilingual education, special education, and English as a second language. Program enrollment is

not limited to students from under-represented groups or multilingual, multicultural students;

(b) A curriculum that provides future teachers with opportunities to observe classroom instruction at all grade levels; includes preteaching internships at all grade levels with a focus on shortage areas; and covers such topics as lesson planning, learning styles, student learning data and information, the achievement gap, cultural competency, and education policy;

(c) Academic and community support services for students to help them overcome possible barriers to becoming future teachers, such as supplemental tutoring; advising on college readiness, applications, and financial aid processes; and mentoring; and

(d) Future teacher camps held on college campuses where students can attend workshops and interact with college faculty and current teachers.

(3) As part of its administration of the program, the professional educator standards board shall:

(a) Develop the curriculum and program guidelines in consultation with an advisory group of teachers, representatives of teacher preparation programs, teacher candidates, students, and representatives of diverse communities;

(b) Subject to funds appropriated for this purpose, allocate grant funds through a competitive process to partnerships of high schools, teacher preparation programs, and community-based organizations to design and deliver programs that include the components under subsection (2) of this section; and

(c) Conduct an evaluation of the effectiveness of current strategies and programs for recruiting diverse teachers, especially multilingual, multicultural teachers, in Washington and in other states. The board shall use the findings from the evaluation to revise the recruiting Washington teachers program as necessary and make other recommendations to teacher preparation programs or the legislature.

NEW SECTION. Sec. 11. The following acts or parts of acts are each repealed:

(1) RCW 28A.300.350 (Excellence in mathematics training program) and 1999 c 347 s 2;

(2) RCW 28A.415.200 (Minority teacher recruitment program-- Intent) and 1989 c 146 s 1; and

(3) RCW 28A.415.205 (Minority teacher recruitment program) and 2005 c 497 s 211, 1991 c 238 s 75, & 1989 c 146 s 2.

NEW SECTION. Sec. 12. Captions used in this act are not any part of the law."

Correct the title.

Representatives P. Sullivan and Priest spoke in favor of the adoption of the amendment.

The amendment was adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House was placed on final passage.

Representatives P. Sullivan and Priest spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 5955, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 5955, as amended by the House and the bill passed the House by the following vote: Yeas - 94, Nays - 1, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 94.

Voting nay: Representative Flannigan - 1.

Excused: Representatives Condotta, DeBolt and Sullivan, B. - 3.

SECOND SUBSTITUTE SENATE BILL NO. 5955, as amended by the House, having received the necessary constitutional majority, was declared passed.

REPORT OF CONFERENCE COMMITTEE

April 17, 2007

Mr. Speaker:

We of your Conference Committee, to whom was referred ENGROSSED SUBSTITUTE SENATE BILL NO. 6032, concerning the medical use of marijuana, have had the same under consideration and we recommend that:

All previous amendments not be adopted and that the attached striking amendment (H-3568.1/07) be adopted

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature intends to clarify the law on medical marijuana so that the lawful use of this substance is not impaired and medical practitioners are able to exercise their best professional judgment in the delivery of medical treatment, qualifying patients may fully participate in the medical use of marijuana, and designated providers may assist patients in the manner provided by this act without fear of state criminal prosecution. This act is also intended to provide clarification to law enforcement and to all participants in the judicial system.

Sec. 2. RCW 69.51A.005 and 1999 c 2 s 2 are each amended to read as follows:

The people of Washington state find that some patients with terminal or debilitating illnesses, under their physician's care, may benefit from the medical use of marijuana. Some of the illnesses for which marijuana appears to be beneficial include chemotherapy-related nausea and vomiting in cancer patients; AIDS wasting syndrome; severe muscle spasms associated with multiple sclerosis and other spasticity disorders; epilepsy; acute or chronic glaucoma; and some forms of intractable pain.

The people find that humanitarian compassion necessitates that the decision to authorize the medical use of marijuana by patients with terminal or debilitating illnesses is a personal, individual decision, based upon their physician's professional medical judgment and discretion.

Therefore, the people of the state of Washington intend that:

Qualifying patients with terminal or debilitating illnesses who, in the judgment of their physicians, ~~((would))~~ may benefit from the medical use of marijuana, shall not be found guilty of a crime under state law for their possession and limited use of marijuana;

Persons who act as ~~((primary caregivers))~~ designated providers to such patients shall also not be found guilty of a crime under state law for assisting with the medical use of marijuana; and

Physicians also be exempted from liability and prosecution for the authorization of marijuana use to qualifying patients for whom, in the physician's professional judgment, medical marijuana may prove beneficial.

Sec. 3. RCW 69.51A.010 and 1999 c 2 s 6 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Designated provider" means a person who:

(a) Is eighteen years of age or older;

(b) Has been designated in writing by a patient to serve as a designated provider under this chapter;

(c) Is prohibited from consuming marijuana obtained for the personal, medical use of the patient for whom the individual is acting as designated provider; and

(d) Is the designated provider to only one patient at any one time.

(2) "Medical use of marijuana" means the production, possession, or administration of marijuana, as defined in RCW 69.50.101(q), for the exclusive benefit of a qualifying patient in the treatment of his or her terminal or debilitating illness.

~~((2))~~ "Primary caregiver" means a person who:

(a) Is eighteen years of age or older;

(b) Is responsible for the housing, health, or care of the patient;

(c) Has been designated in writing by a patient to perform the duties of primary caregiver under this chapter;))

(3) "Qualifying patient" means a person who:

(a) Is a patient of a physician licensed under chapter 18.71 or 18.57 RCW;

(b) Has been diagnosed by that physician as having a terminal or debilitating medical condition;

(c) Is a resident of the state of Washington at the time of such diagnosis;

(d) Has been advised by that physician about the risks and benefits of the medical use of marijuana; and

(e) Has been advised by that physician that they may benefit from the medical use of marijuana.

(4) "Terminal or debilitating medical condition" means:

(a) Cancer, human immunodeficiency virus (HIV), multiple sclerosis, epilepsy or other seizure disorder, or spasticity disorders; or

(b) Intractable pain, limited for the purpose of this chapter to mean pain unrelieved by standard medical treatments and medications; or

(c) Glaucoma, either acute or chronic, limited for the purpose of this chapter to mean increased intraocular pressure unrelieved by standard treatments and medications; or

(d) Crohn's disease with debilitating symptoms unrelieved by standard treatments or medications; or

(e) Hepatitis C with debilitating nausea or intractable pain unrelieved by standard treatments or medications; or

(f) Diseases, including anorexia, which result in nausea, vomiting, wasting, appetite loss, cramping, seizures, muscle spasms, or spasticity, when these symptoms are unrelieved by standard treatments or medications; or

(g) Any other medical condition duly approved by the Washington state medical quality assurance ((board [commission])) commission in consultation with the board of osteopathic medicine and surgery as directed in this chapter.

(5) "Valid documentation" means:

(a) A statement signed by a qualifying patient's physician, or a copy of the qualifying patient's pertinent medical records, which states that, in the physician's professional opinion, the ~~((potential benefits of the medical use of marijuana would likely outweigh the health risks for a particular qualifying))~~ patient may benefit from the medical use of marijuana; ~~((and))~~

(b) Proof of identity such as a Washington state driver's license or identicaid, as defined in RCW 46.20.035; and

(c) A copy of the physician statement described in (a) of this subsection shall have the same force and effect as the signed original.

Sec. 4. RCW 69.51A.030 and 1999 c 2 s 4 are each amended to read as follows:

A physician licensed under chapter 18.71 or 18.57 RCW shall be excepted from the state's criminal laws and shall not be penalized in any manner, or denied any right or privilege, for:

(1) Advising a qualifying patient about the risks and benefits of medical use of marijuana or that the qualifying patient may benefit from the medical use of marijuana where such use is within a professional standard of care or in the individual physician's medical judgment; or

(2) Providing a qualifying patient with valid documentation, based upon the physician's assessment of the qualifying patient's medical history and current medical condition, that the ~~((potential benefits of the))~~ medical use of marijuana ~~((would likely outweigh the health risks for the))~~ may benefit a particular qualifying patient.

Sec. 5. RCW 69.51A.040 and 1999 c 2 s 5 are each amended to read as follows:

(1) If a law enforcement officer determines that marijuana is being possessed lawfully under the medical marijuana law, the officer may document the amount of marijuana, take a representative sample that is large enough to test, but not seize the marijuana. A law enforcement officer or agency shall not be held civilly liable for failure to seize marijuana in this circumstance.

(2) If charged with a violation of state law relating to marijuana, any qualifying patient who is engaged in the medical use of marijuana, or any designated ~~((primary caregiver))~~ provider who assists a qualifying patient in the medical use of marijuana, will be deemed to have established an affirmative defense to such charges by proof of his or her compliance with the requirements provided in this chapter. Any person meeting the requirements appropriate to his or her status under this chapter shall be considered to have engaged in activities permitted by this chapter and shall not be penalized in any manner, or denied any right or privilege, for such actions.

~~((2) The))~~ (3) A qualifying patient, if eighteen years of age or older, or a designated provider shall:

(a) Meet all criteria for status as a qualifying patient or designated provider;

(b) Possess no more marijuana than is necessary for the patient's personal, medical use, not exceeding the amount necessary for a sixty-day supply; and

(c) Present his or her valid documentation to any law enforcement official who questions the patient or provider regarding his or her medical use of marijuana.

~~((3) The))~~ (4) A qualifying patient, if under eighteen years of age at the time he or she is alleged to have committed the offense, shall ~~((comply))~~ demonstrate compliance with subsection ~~((2))~~ (3)(a) and (c) of this section. However, any possession under subsection ~~((2))~~ (3)(b) of this section, as well as any production, acquisition, and decision as to dosage and frequency of use, shall be the responsibility of the parent or legal guardian of the qualifying patient.

~~((4) The designated primary caregiver shall:~~

~~(a) Meet all criteria for status as a primary caregiver to a qualifying patient;~~

~~(b) Possess, in combination with and as an agent for the qualifying patient, no more marijuana than is necessary for the patient's personal, medical use, not exceeding the amount necessary for a sixty-day supply;~~

~~(c) Present a copy of the qualifying patient's valid documentation required by this chapter, as well as evidence of designation to act as primary caregiver by the patient, to any law enforcement official requesting such information;~~

~~(d) Be prohibited from consuming marijuana obtained for the personal, medical use of the patient for whom the individual is acting as primary caregiver; and~~

~~(e) Be the primary caregiver to only one patient at any one time.))~~

Sec. 6. RCW 69.51A.060 and 1999 c 2 s 8 are each amended to read as follows:

(1) It shall be a misdemeanor to use or display medical marijuana in a manner or place which is open to the view of the general public.

(2) Nothing in this chapter requires any health insurance provider to be liable for any claim for reimbursement for the medical use of marijuana.

(3) Nothing in this chapter requires any physician to authorize the use of medical marijuana for a patient.

(4) Nothing in this chapter requires any accommodation of any on-site medical use of marijuana in any place of employment, in any school bus or on any school grounds, ~~((or))~~ in any youth center, in any correctional facility, or smoking medical marijuana in any public place as that term is defined in RCW 70.160.020.

(5) It is a class C felony to fraudulently produce any record purporting to be, or tamper with the content of any record for the purpose of having it accepted as, valid documentation under RCW 69.51A.010~~((5))~~ ~~((6))~~ (6)(a).

(6) No person shall be entitled to claim the affirmative defense provided in RCW 69.51A.040 for engaging in the medical use of marijuana in a way that endangers the health or well-being of any person through the use of a motorized vehicle on a street, road, or highway.

Sec. 7. RCW 69.51A.070 and 1999 c 2 s 9 are each amended to read as follows:

The Washington state medical quality assurance ~~((board commission))~~ commission in consultation with the board of osteopathic medicine and surgery, or other appropriate agency as designated by the governor, shall accept for consideration petitions submitted ~~((by physicians or patients))~~ to add terminal or debilitating conditions to those included in this chapter. In considering such petitions, the Washington state medical quality assurance ~~((board commission))~~ commission in consultation with the board of osteopathic medicine and surgery shall include public notice of, and an opportunity to comment in a public hearing upon, such petitions. The Washington state medical quality assurance ~~((board commission))~~ commission in consultation with the board of osteopathic medicine and surgery shall, after hearing, approve or deny such petitions within one hundred eighty days of submission. The approval or denial of such a petition shall be considered a final agency action, subject to judicial review.

NEW SECTION. Sec. 8. A new section is added to chapter 69.51A RCW to read as follows:

(1) By July 1, 2008, the department of health shall adopt rules defining the quantity of marijuana that could reasonably be presumed to be a sixty-day supply for qualifying patients; this presumption may be overcome with evidence of a qualifying patient's necessary medical use.

(2) As used in this chapter, "sixty-day supply" means that amount of marijuana that qualifying patients would reasonably be expected to need over a period of sixty days for their personal medical use. During the rule-making process, the department shall make a good faith effort to include all stakeholders identified in the rule-making analysis as being impacted by the rule.

(3) The department of health shall gather information from medical and scientific literature, consulting with experts and the public, and reviewing the best practices of other states regarding access to an adequate, safe, consistent, and secure source, including alternative distribution systems, of medical marijuana for qualifying patients. The department shall report its findings to the legislature by July 1, 2008."

Correct the title.

and that the bill do pass as recommended by the Conference Committee.

Senator Kohl-Wells Representative Cody
Senator Keiser Representative Hudgins

Senator Carrell Representative Curtis

There being no objection, the House adopted the conference committee report on ENGROSSED SUBSTITUTE SENATE BILL NO. 6032 and passed the bill as recommended by the conference committee to final passage.

Representatives Cody and Curtis spoke in favor of the passage of the bill as recommended by the conference committee.

The Speaker (Representative Lovick presiding) stated the question before the House to be final passage of Engrossed Substitute Senate Bill No. 6032 as recommended by the conference committee.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6032, as recommended by the Conference Committee and the bill passed the House by the following vote: Yeas - 68, Nays - 27, Absent - 0, Excused - 3.

Voting yea: Representatives Anderson, Appleton, Armstrong, Barlow, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Curtis, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kirby, Lantz, Linville, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roberts, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 68.

Voting nay: Representatives Ahern, Alexander, Bailey, Buri, Crouse, Dunn, Ericksen, Hailey, Haler, Hinkle, Hurst, Kelley, Kretz, Kristiansen, Lovick, McCune, McDonald, O'Brien, Orcutt, Pearson, Roach, Rodne, Ross, Schindler, Strow, Sump and Warnick - 27.

Excused: Representatives Condotta, DeBolt and Sullivan, B. - 3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6032, as recommended by the Conference Committee having received the constitutional majority, was declared passed.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 10:00 a.m., April 19, 2007, the 102nd Day of the Regular Session.

FRANK CHOPP, Speaker
RICHARD NAFZIGER, Chief Clerk

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