

SIXTIETH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Thursday, March 7, 2024

The Senate was called to order at 1 o'clock p.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present with the exceptions of Senators Kauffman and Short.

The Sergeant at Arms Color Guard consisting of Pages Miss Bliss Domingo and Miss Felicity Domingo, presented the Colors.

Page Ms. Anya Carlson led the Senate in the Pledge of Allegiance.

Pastor Marlando Jordan of Sozo Church in Kennewick Church offered the prayer. Mr. Jordan was a guest of Senator Boehnke.

MOTIONS

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

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

MESSAGE FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the Secretary of the Senate:

Corrections, Department of - *"Body Scanner Pilot Program: Drug Free Prisons Act 2023 Report"*, in accordance with Second Substitute Senate Bill No. 5695; *"Graduated Reentry: 2023 Report to the Legislature"*, pursuant to 9.94A.733 RCW; *"Contracted Telecommunication and Electronic Media Services for Inmates in State Correctional Facilities 2023 Report"*, in accordance with Substitute Senate Bill No. 6476; *"Unexpected Fatality Review Committee Report UFR-23-017"*, pursuant to 72.09.770 RCW; *"Unexpected Fatality Review Committee Report UFR-23-012"*, pursuant to 72.09.770 RCW;

Fish and Wildlife, Department of - *"Washington Shrubsteppe Restoration and Resiliency Initiative; Long-Term Strategy 2024-2054"*, in accordance with Engrossed Substitute Senate Bill No. 5187; *"European Green Crab Quarterly Progress Report - Winter 2023 (October 1 to December 31, 2023)"*, in accordance with Engrossed Substitute Senate Bill No. 5693;

Health Care Authority - *"Washington Psilocybin Task Force Final Report"*, in accordance with Second Substitute Senate Bill No. 5263;

Labor and Industries, Department of - *"Janitorial Workload Study Progress Report"*, in accordance with Engrossed Substitute Senate Bill No. 5092;

Natural Resources, Department of - *"Washington Shrubsteppe Restoration and Resiliency Initiative; Long-Term Strategy 2024-2054"*, in accordance with Engrossed Substitute Senate Bill No. 5187;

Washington State University - The William D. Ruckelshaus Center - *"Intellectual & Developmental Disabilities: Perceptions of Progress: 2019 Washington Work Group Recommendations"*, in accordance with Engrossed Substitute in accordance with Senate Bill No. 5187; *"I/DD 2019 Recommendations Progress (Plain Language Introduction & Summary)"*, in accordance with Engrossed Substitute Senate Bill

No. 5187.

MOTION

On motion of Senator Pedersen, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

March 6, 2024

MR. PRESIDENT:
The House receded from its amendment(s) to ENGROSSED SENATE BILL NO. 6087 and passed the bill without the House amendment(s).

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 6, 2024

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

ENGROSSED FOURTH SUBSTITUTE HOUSE BILL NO. 1239,

SUBSTITUTE HOUSE BILL NO. 1453,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1493,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1899,

SUBSTITUTE HOUSE BILL NO. 2424,

HOUSE BILL NO. 2454,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 6, 2024

MR. PRESIDENT:
The House receded from its amendment(s) to ENGROSSED SUBSTITUTE SENATE BILL NO. 5796 and passed the bill without the House amendment(s).

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 6, 2024

MR. PRESIDENT:
The Speaker has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5271,

SECOND SUBSTITUTE SENATE BILL NO. 5660,

ENGROSSED SUBSTITUTE SENATE BILL NO. 5778,

SENATE BILL NO. 5799,

SENATE BILL NO. 5842,

SUBSTITUTE SENATE BILL NO. 5869,

SENATE BILL NO. 5897,

SUBSTITUTE SENATE BILL NO. 5920,

SUBSTITUTE SENATE BILL NO. 5936,

SUBSTITUTE SENATE BILL NO. 5940,

SENATE BILL NO. 6013,

SENATE BILL NO. 6084,

SENATE BILL NO. 6263,

ENGROSSED SUBSTITUTE SENATE BILL NO. 6286,

SENATE JOINT MEMORIAL NO. 8008,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 6, 2024

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 1012,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1185,
 SECOND SUBSTITUTE HOUSE BILL NO. 1205,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1248,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1272,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1277,
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO.
 1282,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1300,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1368,
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO.
 1377,
 HOUSE BILL NO. 1471,
 SECOND SUBSTITUTE HOUSE BILL NO. 1551,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589,
 HOUSE BILL NO. 1635,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652,
 SUBSTITUTE HOUSE BILL NO. 1851,
 SUBSTITUTE HOUSE BILL NO. 1870,
 SECOND SUBSTITUTE HOUSE BILL NO. 1877,
 SUBSTITUTE HOUSE BILL NO. 1924,
 HOUSE BILL NO. 1943,
 SUBSTITUTE HOUSE BILL NO. 1945,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1956,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2000,
 SUBSTITUTE HOUSE BILL NO. 2007,
 SECOND SUBSTITUTE HOUSE BILL NO. 2022,
 HOUSE BILL NO. 2032,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2039,
 SUBSTITUTE HOUSE BILL NO. 2045,
 SUBSTITUTE HOUSE BILL NO. 2056,
 SECOND SUBSTITUTE HOUSE BILL NO. 2071,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2099,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2118,
 SECOND SUBSTITUTE HOUSE BILL NO. 2124,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2131,
 HOUSE BILL NO. 2135,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2153,
 SUBSTITUTE HOUSE BILL NO. 2180,
 SUBSTITUTE HOUSE BILL NO. 2195,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2207,
 HOUSE BILL NO. 2213,
 SUBSTITUTE HOUSE BILL NO. 2226,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2236,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2247,
 ENGROSSED HOUSE BILL NO. 2266,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2301,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2331,
 SUBSTITUTE HOUSE BILL NO. 2347,
 SUBSTITUTE HOUSE BILL NO. 2348,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2354,
 SUBSTITUTE HOUSE BILL NO. 2381,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2384,
 SUBSTITUTE HOUSE BILL NO. 2396,
 HOUSE BILL NO. 2416,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2441,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2482,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2494,
 and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6321 by Senators Cleveland, and Braun

AN ACT Relating to improving housing stability for tenants subject to the residential landlord-tenant act and the manufactured/mobile home landlord-tenant act by limiting late fees, requiring additional notice of rent increases, limiting nonrefundable fees and deposits, extending requirements for payment plans, and creating a study of rental assistance; amending RCW 59.18.140, 59.18.170, 59.18.410, 59.18.270, 59.18.285, 59.18.610, 59.20.090, 59.20.170, 59.20.060, and 59.20.030; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.01 RCW; adding a new section to chapter 43.185A RCW; prescribing penalties; and providing an expiration date.

Referred to Committee on Housing.

SB 6322 by Senators Cleveland, and Braun

AN ACT Relating to unemployment benefit delays; adding a new section to chapter 50.20 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Labor & Commerce.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

On motion of Senator Pedersen, the rules were suspended and Senate Concurrent Resolution No. 8417 was placed on the Second Reading Calendar.

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

Senator Pedersen moved adoption of the following resolution:

SENATE RESOLUTION

8683

By Senators Pedersen and Short

WHEREAS, The 2024 Regular Session of the Sixty-eighth Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the Senate after its adjournment and during the interim period between the close of the 2024 Regular Session of the Sixty-eighth Legislature and the convening of the next regular session;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Facilities and Operations Committee shall have full authority and direction over the authorization and execution of any contracts or subcontracts that necessitate the expenditure of Senate appropriations and may further delegate such authority and direction to the Secretary of the Senate for contracts that are routine or expected, subject to all applicable budget controls and

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limitations; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate may, as she deems appropriate, authorize travel for which members and staff may receive their actual necessary expenses, and such per diem as may be authorized by law, subject to all applicable budget controls and limitations, to be paid upon receipt of their vouchers out of funds appropriated for legislative expenses; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and hereby is, authorized to retain such employees as she may deem necessary and that said employees be allowed such rate of pay, subject to all applicable budget controls and limitations, as the Secretary of the Senate shall deem proper; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and hereby is, authorized and directed to make out and execute the necessary vouchers upon which warrants for legislative expenses and expenditures shall be drawn from funds provided therefor; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate, in consultation with the Chair and Ranking Member of the Facilities and Operations Committee, be, and hereby is, authorized to approve written requests by standing committees to meet during the interim period; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and hereby is, authorized and directed to have printed a copy of the Senate Journals of the 2024 Regular Session of the Sixty-eighth Legislature; and

BE IT FURTHER RESOLVED, That the Majority Leader is authorized to create special committees as may be necessary to carry out the functions of the Senate in an orderly manner and appoint members thereto with the approval of the Facilities and Operations Committee; and

BE IT FURTHER RESOLVED, That the use of Senate facilities is permitted upon such terms as the Secretary of the Senate shall deem proper.

Senator Pedersen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8683.

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

MOTION

On motion of Senator Pedersen, the Senate reverted to the fifth order of business.

REMARKS BY THE PRESIDENT

President Heck: "Senator Pedersen, it would appear as though you have gotten ahead of the paperwork. For even casual observers of this process over the last sixty days that will come as no surprise."

MOTION

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

MESSAGE FROM THE HOUSE

March 6, 2024

MR. PRESIDENT:

The House receded from its amendment(s) to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194. Under suspension of the rules, the bill was returned to second reading

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for the purposes of amendment(s). The House adopted the following amendment(s): 6194-S2.E AMH ENGR H3508.E, and passed the bill as amended by the House.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 44.90.020 and 2022 c 283 s 3 are each amended to read as follows:

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

(1) "Collective bargaining" means the performance of the mutual obligations of the employer and the exclusive bargaining representative to meet at reasonable times, except that neither party may be compelled to negotiate during a legislative session or on committee assembly days, to confer and negotiate in good faith, and to execute a written agreement with respect to the subjects of bargaining specified under RCW 44.90.090. The obligation to bargain does not compel either party to agree to a proposal or to make a concession unless otherwise provided in this chapter.

(2) "Commission" means the legislative commission created in section 17 of this act at the public employment relations commission, until the legislative commission expires on December 31, 2027. After December 31, 2027, "commission" means the public employment relations commission created under RCW 41.58.010(1).

~~((2))~~ (3) "Confidential employee" means an employee designated by the employer: (a) To assist in a confidential capacity, or serve as counsel to, persons who formulate, determine, and effectuate employer policies with regard to labor relations and personnel matters; or (b) who as part of the employee's job duties has authorized access to information that contributes to the development of, or relates to the effectuation or review of, the employer's collective bargaining policies, strategies, or process; or (c) who assists or aids an employee with managerial authority.

(4) "Director" means the director of the office of state legislative labor relations.

~~((3))~~ (5)(a) "Employee" means:

(i) Any regular partisan employee of the house of representatives or the senate who is covered by this chapter; and

(ii) Any regular employee who is staff of the:

(A) Office of legislative support services;

(B) Legislative service center;

(C) Office of the code reviser who, during any legislative session, does not work full time on drafting and finalizing legislative bills to be included in the Revised Code of Washington; and

(D) House of representatives and senate administrations.

(b) "Employee" also includes temporary staff hired to perform substantially similar work to that performed by employees included under (a) of this subsection.

(c) All other regular employees and temporary employees, including casual employees, interns, and pages, and employees in the office of program research and senate committee services work groups of the house of representatives and the senate are excluded from the definition of "employee" for the purposes of this chapter.

(6) "Employee organization" means any organization, union, or association in which employees participate and that exists for the purpose, in whole or in part, of collective bargaining with employers.

~~((4))~~ (7) "Employee with managerial authority" means any employee designated by the employer who, regardless of job title:

(a) Directs the staff who work for a legislative chamber, caucus,

agency, or subdivision thereof; (b) has substantial responsibility in personnel administration, or the preparation and administration of the employer's budgets; and (c) exercises authority that is not merely routine or clerical in nature and requires the use of independent judgment.

(8) "Employer" means:

(a) The chief clerk of the house of representatives, or the chief clerk's designee, for employees of the house of representatives;

(b) The secretary of the senate, or the secretary's designee, for employees of the senate; and

(c) The chief clerk of the house of representatives and the secretary of the senate, acting jointly, or their designees, for the regular employees who are staff of the office of legislative support services, the legislative service center, and the office of the code reviser.

(9) "Exclusive bargaining representative" means any employee organization that has been certified under this chapter as the representative of the employees in an appropriate bargaining unit.

((5)) (10) "Labor dispute" means any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment with respect to the subjects of bargaining provided in this chapter, regardless of whether the disputants stand in the proximate relation of employer and employee.

(11) "Legislative agencies" means the joint legislative audit and review committee, the statute law committee, the legislative ethics board, the legislative evaluation and accountability program committee, the office of the state actuary, the legislative service center, the office of legislative support services, the joint transportation committee, and the redistricting commission.

((6)) (12) "Office" means the office of state legislative labor relations.

(13) "Supervisor" means an employee designated by the employer to provide supervision to legislative employees as part of the employee's regular and usual job duties. Supervision includes directing employees, approving and denying leave, and participating in decisions to hire, transfer, suspend, lay off, recall, promote, discharge, direct, reward, or discipline employees, or to adjust employee grievances, when the exercise of the authority is not of a merely routine nature but requires the exercise of individual judgment, regardless of whether such duties are the employee's primary duties and regardless of whether the employee spends a preponderance of the employee's time exercising such duties. However, "supervisor" does not include a legislative assistant to a legislator of the senate or house of representatives.

NEW SECTION. Sec. 2. A new section is added to chapter 44.90 RCW to read as follows:

(1) This chapter does not apply to any legislative employee who has managerial authority, is a confidential employee, or who does not meet the definition of employee for the purpose of collective bargaining.

(2) This chapter also does not apply to:

(a) Elected or appointed members of the legislature;

(b) Any person appointed to office under statute, ordinance, or resolution for a specific term of office as a member of a multimember board, commission, or committee;

(c) The deputy secretary of the senate and the deputy chief clerk of the house of representatives;

(d) The senate human resources officer, the human resources director of the house of representatives, and the human resources officers or directors of the legislative support services, legislative service center, and office of the code reviser;

(e) The senate director of accounting and the director of accounting for the house of representatives, and the directors of

accounting for the legislative support services, legislative service center, and office of the code reviser;

(f) Caucus chiefs of staff and caucus deputy chiefs of staff;

(g) The speaker's attorney, house counsel, and leadership counsel to the minority caucus of the house of representatives;

(h) The counsels for the senate that provide direct legal advice to the administration of the senate; and

(i) Any employee who provides direct administrative support to the office of the secretary of the senate or chief clerk of the house of representatives, or who conducts accounting, payroll, labor management, collective bargaining, or human resources activities.

Sec. 3. RCW 44.90.030 and 2022 c 283 s 2 are each amended to read as follows:

(1) The office of state legislative labor relations is created to assist the house of representatives, the senate, and legislative agencies in implementing and managing the process of collective bargaining for employees of the legislative branch of state government.

(2)(a) Subject to (b) of this subsection, the secretary of the senate and the chief clerk of the house of representatives shall employ a director of the office. The director serves at the pleasure of the secretary of the senate and the chief clerk of the house of representatives, who shall fix the director's salary.

(b) The secretary of the senate and the chief clerk of the house of representatives shall, before employing a director, consult with legislative employees, the senate facilities and operations committee, the house executive rules committee, and the human resources officers of the house of representatives, the senate, and legislative agencies.

(c) The director serves as the executive and administrative head of the office and may employ additional employees to assist in carrying out the duties of the office. The duties of the office include, but are not limited to, establishing bargaining teams and conducting negotiations on behalf of the employer.

~~((d) The director shall contract with an external consultant for the purposes of gathering input from legislative employees, taking into consideration RCW 42.52.020 and rules of the house of representatives and the senate. The gathering of input must be in the form of, at a minimum, surveys.~~

~~(3) The director, in consultation with the secretary of the senate, the chief clerk of the house of representatives, and the administrative heads of legislative agencies shall:~~

~~(a) Examine issues related to collective bargaining for employees of the house of representatives, the senate, and legislative agencies; and~~

~~(b) After consultation with the external consultant, develop best practices and options for the legislature to consider in implementing and administering collective bargaining for employees of the house of representatives, the senate, and legislative agencies.~~

~~(4)(a) By December 1, 2022, the director shall submit a preliminary report to the appropriate committees of the legislature that provides a progress report on the director's considerations.~~

~~(b) By October 1, 2023, the director shall submit a final report to the appropriate committees of the legislature. At a minimum, the final report must address considerations on the following issues:~~

~~(i) Which employees of the house of representatives, the senate, and legislative agencies for whom collective bargaining may be appropriate;~~

~~(ii) Mandatory, permissive, and prohibited subjects of bargaining;~~

~~(iii) Who would negotiate on behalf of the house of representatives, the senate, and legislative agencies, and which entity or entities would be considered the employer for purposes~~

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~~of bargaining;~~

- ~~(iv) Definitions for relevant terms;~~
- ~~(v) Common public employee collective bargaining agreement frameworks related to grievance procedures and processes for disciplinary actions;~~
- ~~(vi) Procedures related to the commission certifying exclusive bargaining representatives, determining bargaining units, adjudicating unfair labor practices, determining representation questions, and coalition bargaining;~~
- ~~(vii) The efficiency and feasibility of coalition bargaining;~~
- ~~(viii) Procedures for approving negotiated collective bargaining agreements;~~
- ~~(ix) Procedures for submitting requests for funding to the appropriate legislative committees if appropriations are necessary to implement provisions of the collective bargaining agreements; and~~
- ~~(x) Approaches taken by other state legislatures that have authorized collective bargaining for legislative employees.~~

~~(5) The report must include a summary of any statutory changes needed to address the considerations listed in subsection (4) of this section related to the collective bargaining process for legislative employees.)~~

NEW SECTION. Sec. 4. A new section is added to chapter 44.90 RCW to read as follows:

(1) As provided by this chapter, the commission or the court shall determine all questions described by this chapter as under the commission's authority. However, such authority may not result in an order or rule that intrudes upon or interferes with the legislature's core function of efficient and effective law making or the essential operation of the legislature, including that an order or rule may not:

- (a) Modify any matter relating to the qualifications and elections of members of the legislature, or the holding of office of members of the legislature;
- (b) Modify any matter relating to the legislature or each house thereof choosing its officers, adopting rules for its proceedings, selecting committees necessary for the conduct of business, considering or enacting legislation, or otherwise exercising the legislative power of this state;
- (c) Modify any matter relating to legislative calendars, schedules, and deadlines of the legislature;
- (d) Modify laws, rules, policies, or procedures regarding ethics or conflicts of interest; or
- (e) Require the legislature to reinstate an employee.

(2) No member of the legislature may be compelled by subpoena or other means to attend a proceeding related to matters covered by this chapter during a legislative session, committee assembly days, or for 15 days before commencement of each session.

Sec. 5. RCW 44.90.050 and 2022 c 283 s 5 are each amended to read as follows:

(1) Except as may be specifically limited by this chapter, legislative employees shall have the right to self-organization, to form, join, or assist employee organizations, and to bargain collectively through representatives of their own choosing for the purpose of collective bargaining free from interference, restraint, or coercion. Legislative employees shall also have the right to refrain from any or all such activities.

(2) Except as may be specifically limited by this chapter, the commission shall determine all questions pertaining to ascertaining exclusive bargaining representatives for legislative employees and collectively bargaining under this chapter. However, no employee organization shall be recognized or certified as the exclusive bargaining representative of a bargaining unit of employees of the legislative branch unless it

receives the votes of a majority of employees in the petitioned for bargaining unit voting in a secret election (~~by mail ballot~~) administered by the commission. The commission's process must allow for an employee, group of employees, employee organizations, employer, or their agents to have the right to petition on any question concerning representation.

(3) ~~((The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as members.))~~
The commission must adopt rules that provide for at least the following:

- (a) Secret balloting;
- (b) Consulting with employee organizations;
- (c) Access to lists of employees, job titles, work locations, and home mailing addresses;
- (d) Absentee voting;
- (e) Procedures for the greatest possible participation in voting;
- (f) Campaigning on the employer's property during working hours; and
- (g) Election observers.

(4)(a) If an employee organization has been certified as the exclusive bargaining representative of the employees of multiple bargaining units, the employee organization may act for and negotiate a master collective bargaining agreement that includes within the coverage of the agreement all covered employees in the bargaining units.

(b) If a master collective bargaining agreement is in effect for the newly certified exclusive bargaining representative, it applies to the bargaining unit for which the new certification has been issued. Nothing in this subsection (4)(b) requires the parties to engage in new negotiations during the term of that agreement.

(5) The certified exclusive bargaining representative is responsible for representing the interests of all the employees in the bargaining unit. This section may not be construed to limit an exclusive bargaining representative's right to exercise its discretion to refuse to process grievances of employees that are unmeritorious.

(6) No question concerning representation may be raised if:
(a) Fewer than 12 months have elapsed since the last certification or election; or

(b) A valid collective bargaining agreement exists covering the unit, except for that period of no more than 120 calendar days nor less than 90 calendar days before the expiration of the contract.

NEW SECTION. Sec. 6. A new section is added to chapter 44.90 RCW to read as follows:

(1) The commission, after hearing upon reasonable notice to all interested parties, shall decide, in each application for certification as an exclusive bargaining representative, the unit appropriate for certification. In determining the new units or modifications of existing units, the commission must consider: The duties, skills, and working conditions of the employees; the history of collective bargaining; the extent of organization among the employees; the desires of the employees; and the avoidance of excessive fragmentation. However, a unit is not appropriate if it includes:

- (a) Both supervisors and nonsupervisory employees. A unit that includes only supervisors may be considered appropriate if a majority of the supervisory employees indicates by vote that they desire to be included in such a unit;
- (b) Both house of representatives and senate employees;
- (c) Both partisan and nonpartisan employees;
- (d) Employees of the majority party caucus and the minority

party caucus, unless a majority of the employees of each caucus indicate by vote that they desire to be included together in the same unit; or

(e) Employees of the legislative service center, office of legislative support services, and the office of the code reviser, in any combination with each other or in any combination with employees of the house of representatives or employees of the senate.

(2) If a single employee organization is the exclusive bargaining representative for two or more units, upon petition by the employee organization, the units may be consolidated into a single larger unit if the commission considers the larger unit to be appropriate. If consolidation is appropriate, the commission shall certify the employee organization as the exclusive bargaining representative of the new unit.

NEW SECTION. Sec. 7. A new section is added to chapter 44.90 RCW to read as follows:

(1) The parties to a collective bargaining agreement must reduce the agreement to writing and both execute it.

(2) Except as provided in this chapter, a collective bargaining agreement must contain provisions that provide for a grievance procedure of all disputes arising over the interpretation or application of the collective bargaining agreement and that is valid and enforceable under its terms when entered into in accordance with this chapter.

(3) RCW 41.56.037 applies to this chapter.

(4)(a) If a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous collective bargaining agreement between the employer and an employee organization representing the same bargaining units, the effective date of the collective bargaining agreement may be the day after the termination of the previous collective bargaining agreement, and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with that effective date.

(b) If a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous collective bargaining agreement between the employer and the exclusive bargaining representative representing different bargaining units, the effective date of the collective bargaining agreement may be the day after the termination date of whichever previous collective bargaining agreement covering one or more of the units terminated first, and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with that effective date.

(5) The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as members.

Sec. 8. RCW 44.90.060 and 2022 c 283 s 6 are each amended to read as follows:

~~((During a legislative session or committee assembly days, nothing))~~ Nothing contained in this chapter permits or grants to any legislative employee the right to strike, participate in a work stoppage, or refuse to perform their official duties.

Sec. 9. RCW 44.90.070 and 2022 c 283 s 7 are each amended to read as follows:

(1) Collective bargaining negotiations under this chapter must commence no later than July 1st of each even-numbered year after a bargaining unit has been certified.

(2) The duration of any collective bargaining agreement shall not exceed one fiscal biennium.

(3)(a) The director must submit ratified collective bargaining agreements, with cost estimates, to the employer by October 1st before the legislative session at which the request for funds is to be considered. The transmission by the legislature to the governor under RCW 43.88.090 must include a request for funds necessary to implement the provisions of all collective bargaining agreements covering legislative employees.

(b) If the legislature or governor fails to provide the funds for a collective bargaining agreement for legislative employees, either party may reopen all or part of the agreement or the exclusive bargaining representative may seek to implement the procedures provided for in section 10 of this act.

(4) Negotiation for economic terms will be by a coalition of all exclusive bargaining representatives. Any such provisions agreed to by the employer and the coalition must be included in all collective bargaining agreements negotiated by the parties. The director and the exclusive bargaining representative or representatives are authorized to enter into supplemental bargaining of bargaining unit specific issues for inclusion in the collective bargaining agreement, subject to the parties' agreement regarding the issues and procedures for supplemental bargaining. This subsection does not prohibit cooperation and coordination of bargaining between two or more exclusive bargaining representatives.

(5) If a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by resolution of the legislature, both parties must immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

NEW SECTION. Sec. 10. A new section is added to chapter 44.90 RCW to read as follows:

(1) Should the parties fail to reach agreement in negotiating a collective bargaining agreement, either party may request of the commission the assistance of an impartial third party to mediate the negotiations. If a collective bargaining agreement previously negotiated under this chapter expires while negotiations are underway, the terms and conditions specified in the collective bargaining agreement remain in effect for a period not to exceed one year from the expiration date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(2) Nothing in this section may be construed to prohibit an employer and an exclusive bargaining representative from agreeing to substitute, at their own expense, their own procedure for resolving impasses in collective bargaining for that provided in this section or from agreeing to utilize for the purposes of this section any other governmental or other agency or person in lieu of the commission.

(3) The commission shall bear costs for mediator services.

Sec. 11. RCW 44.90.080 and 2022 c 283 s 8 are each amended to read as follows:

(1) It is an unfair labor practice for an employer in the legislative branch of state government:

(a) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed by this chapter;

(b) To dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it: PROVIDED, That subject to rules adopted by the commission, an employer shall not be prohibited from permitting employees to confer with it or its representatives or agents during working hours without loss of time or pay;

(c) To encourage or discourage membership in any employee organization by discrimination in regard to hire, tenure of employment, or any term or condition of employment;

(d) To discharge or discriminate otherwise against an employee because that employee has filed charges or given testimony under

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this chapter;

(e) To refuse to bargain collectively with the exclusive bargaining representatives of its employees.

(2) Notwithstanding any other law, the expression of any views, arguments, or opinions, or the dissemination thereof in any form, by a member of the legislature related to this chapter or matters within the scope of representation, shall not constitute, or be evidence of, an unfair labor practice unless the employer has authorized the member to express that view, argument, or opinion on behalf of the employer or as an employer.

(3) It is an unfair labor practice for an employee organization:

(a) To restrain or coerce an employee in the exercise of the rights guaranteed by this chapter: PROVIDED, That this subsection shall not impair the right of an employee organization to prescribe its own rules with respect to the acquisition or retention of membership in the employee organization or to an employer in the selection of its representatives for the purpose of bargaining or the adjustment of grievances;

(b) To cause or attempt to cause an employer to discriminate against an employee in violation of subsection (1)(c) of this section;

(c) To discriminate against an employee because that employee has filed charges or given testimony under this chapter;

(d) To refuse to bargain collectively with an employer.

~~((3))~~ (4) The expressing of any views, arguments, or opinion, or the dissemination thereof to the public, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under this chapter, if such expression contains no threat of reprisal or force or promise of benefit.

NEW SECTION. Sec. 12. A new section is added to chapter 44.90 RCW to read as follows:

(1) The commission is empowered and directed to prevent any unfair labor practice and to issue appropriate remedial orders. However, a complaint may not be processed for any unfair labor practice occurring more than six months before the filing of the complaint with the commission or in Thurston county superior court. This power may not be affected or impaired by any means of adjustment, mediation, or conciliation in labor disputes that have been or may hereafter be established by law.

(2) Except as may be specifically limited by this chapter, if the commission or court determines that any person has engaged in or is engaging in an unfair labor practice, the commission or court shall issue and cause to be served upon the person an order requiring the person to cease and desist from such unfair labor practice, and to take such affirmative action as will effectuate the purposes and policy of this chapter, such as the payment of damages.

(3) The commission may petition the Thurston county superior court for the enforcement of its order and for appropriate temporary relief.

Sec. 13. RCW 44.90.090 and 2022 c 283 s 9 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, the matters subject to bargaining include wages, hours, terms and conditions of employment, and the negotiation of any question arising under a collective bargaining agreement.

(2) Employees hold their positions at the employer's pleasure. However, the discipline of employees is subject to any collective bargaining agreement entered into under this chapter.

(3) The employer shall not bargain over rights of management which, in addition to all powers, duties, and rights established by constitutional provision or statute, shall include, but not be limited to, the following:

(a) Any item listed in section 4(1) of this act;

(b) The functions and programs of the employer, the use of technology, and the structure of the organization, including the size and composition of standing committees;

~~((b))~~ (c) The employer's budget and the size of the employer's workforce, including determining the financial basis for layoffs;

~~((c))~~ (d) The right to direct and supervise employees;

~~((d))~~ (e) The hours of work during legislative session ~~((and the cutoff calendar for a legislative session))~~ and committee assembly days, and the hours of work during the 60 calendar days before the first day of legislative session and during the 20 calendar days after the last day of legislative session. This subsection (3)(e) does not prohibit bargaining over hours of work during any other period and bargaining over compensation for hours of work in excess of a 40-hour workweek, except that bargaining over hours of work during periods not otherwise prohibited and compensation for hours worked in excess of a 40-hour workweek may only occur for agreements that take effect after July 1, 2027; ~~((and~~

~~((e))~~ (f) The cutoff calendar for a legislative session;

(g) Health care benefits and other employee insurance benefits. The amount paid by a legislative employee for health care premiums must be the same as that paid by a represented state employee covered by RCW 41.80.020(3);

(h) The right to take whatever actions are deemed necessary to carry out the mission of the legislature and its agencies during emergencies; and

(i) Retirement plans and retirement benefits.

~~((2))~~ (4) Except for an applicable code of conduct policy adopted by a chamber of the legislature or a legislative agency, if a conflict exists between policies adopted by the legislature relating to wages, hours, and terms and conditions of employment and a provision of a collective bargaining agreement negotiated under this chapter, the collective bargaining agreement shall prevail. A provision of a collective bargaining agreement that conflicts with a statute or an applicable term of a code of conduct policy adopted by a chamber of the legislature or a legislative agency is invalid and unenforceable.

NEW SECTION. Sec. 14. A new section is added to chapter 44.90 RCW to read as follows:

(1) Upon authorization of an employee within the bargaining unit and after the certification or recognition of the bargaining unit's exclusive bargaining representative, the employer must deduct from the payments to the employee the monthly amount of dues as certified by the secretary of the exclusive bargaining representative and must transmit the same to the treasurer of the exclusive bargaining representative.

(2)(a) An employee's written, electronic, or recorded voice authorization to have the employer deduct membership dues from the employee's salary must be made by the employee to the exclusive bargaining representative. If the employer receives a request for authorization of deductions, the employer must, as soon as practicable, forward the request to the exclusive bargaining representative.

(b) Upon receiving notice of the employee's authorization, the employer must deduct from the employee's salary membership dues and remit the amounts to the exclusive bargaining representative.

(c) The employee's authorization remains in effect until expressly revoked by the employee in accordance with the terms and conditions of the authorization.

(d) An employee's request to revoke authorization for payroll deductions must be in writing and submitted by the employee to the exclusive bargaining representative in accordance with the terms and conditions of the authorization.

(e) After the employer receives confirmation from the

exclusive bargaining representative that the employee has revoked authorization for deductions, the employer must end the deduction no later than the second payroll after receipt of the confirmation.

(f) The employer must rely on information provided by the exclusive bargaining representative regarding the authorization and revocation of deductions.

NEW SECTION. Sec. 15. A new section is added to chapter 44.90 RCW to read as follows:

(1) If the parties to a collective bargaining agreement negotiated under this chapter agree to final and binding arbitration under grievance procedures allowed by section 7 of this act, the parties may agree on one or more permanent umpires to serve as arbitrator, or may agree on any impartial person to serve as arbitrator, or may agree to select arbitrators from any source available to them, including federal and private agencies, in addition to the staff and list of arbitrators maintained by the commission. If the parties cannot agree to the selection of an arbitrator, the commission must supply a list of names in accordance with the procedures established by the commission.

(2) The authority of an arbitrator shall be subject to the limits and restrictions specified under section 4 of this act.

(3) Except as limited by this chapter, an arbitrator may require any person to attend as a witness and to bring with them any book, record, document, or other evidence. The fees for such attendance must be paid by the party requesting issuance of the subpoena and must be the same as the fees of witnesses in the superior court. Arbitrators may administer oaths. Subpoenas must issue and be signed by the arbitrator and must be served in the same manner as subpoenas to testify before a court of record in this state. If any person so summoned to testify refuses or neglects to obey such subpoena, upon petition authorized by the arbitrator, the superior court may compel the attendance of the person before the arbitrator or punish the person for contempt in the same manner provided for the attendance of witnesses or the punishment of them in the courts of this state.

(4) Except as limited by this chapter, the arbitrator shall appoint a time and place for the hearing and notify the parties thereof, and may adjourn the hearing from time to time as may be necessary, and, on application of either party and for good cause, may postpone the hearing to a time not extending beyond the date fixed by the collective bargaining agreement for making the award. The arbitration award must be in writing and signed by the arbitrator. The arbitrator must, promptly upon its rendition, serve a true copy of the award on each of the parties or their attorneys of record.

(5) If a party to a collective bargaining agreement negotiated under this chapter that includes final and binding arbitration refuses to submit a grievance for arbitration, the other party to the collective bargaining agreement may invoke the jurisdiction of the superior court of Thurston county and the court shall have jurisdiction to issue an order compelling arbitration. Disputes concerning compliance with grievance procedures shall be reserved for determination by the arbitrator. Arbitration shall be ordered if the grievance states a claim that on its face is covered by the collective bargaining agreement. Doubts as to the coverage of the arbitration clause shall be resolved in favor of arbitration.

(6) If a party to a collective bargaining agreement negotiated under this chapter that includes final and binding arbitration refuses to comply with the award of an arbitrator determining a grievance arising under the collective bargaining agreement, the other party to the collective bargaining agreement may invoke the jurisdiction of the superior court of Thurston county and the court shall have jurisdiction to issue an order enforcing the arbitration award.

Sec. 16. RCW 41.58.010 and 2012 c 117 s 89 are each amended to read as follows:

(1) There is hereby created the public employment relations commission (hereafter called the "commission") to administer the provisions of this chapter. ~~((The))~~ Notwithstanding section 17 of this act, the commission shall consist of three members who shall be citizens appointed by the governor by and with the advice and consent of the senate. One of the original members shall be appointed for a term of three years, one for a term of four years, and one for a term of five years. Their successors shall be appointed for terms of five years each, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he or she succeeds. Commission members shall be eligible for reappointment. The governor shall designate one member to serve as chair of the commission. Any member of the commission may be removed by the governor, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. Commission members shall not be eligible for state retirement under chapter 41.40 RCW by virtue of their service on the commission.

(2) In making citizen member appointments initially, and subsequently thereafter, the governor shall be cognizant of the desirability of appointing persons knowledgeable in the area of labor relations in the state.

(3) A vacancy in the commission shall not impair the right of the remaining members to exercise all of the powers of the commission, and two members of the commission shall, at all times, constitute a quorum of the commission.

(4) The commission shall at the close of each fiscal year make a report in writing to the legislature and to the governor stating the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the commission, and an account of all moneys it has disbursed.

NEW SECTION. Sec. 17. A new section is added to chapter 41.58 RCW to read as follows:

(1)(a) There is established a legislative commission (hereafter called "the legislative commission") exclusively for the purpose of certification of bargaining representatives, adjusting and settling complaints, grievances, and disputes arising out of employer-employee relations, and otherwise carrying out the duties required of the commission under chapter 44.90 RCW.

(b) The legislative commission shall consist of three members who shall be appointed as follows:

(i) One member shall be appointed by the speaker of the house of representatives;

(ii) One member shall be appointed by the president of the senate;

(iii) By mutual consent, the two appointed members shall appoint the third member who shall be the chair of the legislative commission.

(c) All appointments must be made by September 30, 2024. The members of the legislative commission, and any person appointed to fill a vacancy, are appointed for the entire term until the legislative commission expires under subsection (9) of this section.

(d) Until all the members of the legislative commission are appointed, the duties required of the legislative commission under chapter 44.90 RCW shall be carried out by the commission created under RCW 41.58.010(1).

(2) The commission may delegate to the executive director authority with respect to, but not limited to, representation proceedings, unfair labor practice proceedings, mediation, and, if applicable, arbitration of disputes concerning the interpretation or application of a collective bargaining agreement. Such delegation shall not eliminate a party's right of appeal to the legislative commission.

(3) Unless specifically provided, the legislative commission

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shall not be considered part of the commission created under RCW 41.58.010(1). The powers and duties granted in this chapter to the commission created under RCW 41.58.010(1) do not apply to the legislative commission, unless specifically provided.

(4) A member of the legislative commission may be removed by the speaker of the house of representatives and the president of the senate acting jointly, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

(5) In making their appointments, the speaker of the house of representatives and the president of the senate shall be cognizant of the desirability of appointing a person who is knowledgeable in the area of labor relations and of the legislature.

(6) Members of the legislative commission are not eligible for state retirement under chapter 41.40 RCW by virtue of the member's service as a commissioner.

(7) The compensation and travel reimbursement provision under RCW 41.58.015(1) shall apply to members of the legislative commission.

(8) The legislative commission shall at the close of each fiscal year make a report in writing to the legislature stating the cases it has heard and decisions it has rendered.

(9)(a) The legislative commission expires December 31, 2027.

(b) After December 31, 2027, the duties required of the legislative commission under chapter 44.90 RCW shall be carried out by the commission created under RCW 41.58.010(1).

Sec. 18. RCW 41.58.015 and 1984 c 287 s 71 are each amended to read as follows:

(1) Each member of the commission shall be compensated in accordance with RCW 43.03.250. Members of the commission shall also be reimbursed for travel expenses incurred in the discharge of their official duties on the same basis as is provided in RCW 43.03.050 and 43.03.060.

(2) The commission shall appoint an executive director whose annual salary shall be determined under the provisions of RCW 43.03.028. The executive director shall perform such duties and have such powers as the commission shall prescribe in order to implement and enforce the provisions of this chapter. In addition to the performance of administrative duties, the commission may delegate to the executive director authority with respect to, but not limited to, representation proceedings, unfair labor practice proceedings, mediation of labor disputes, arbitration of disputes concerning the interpretation or application of a collective bargaining agreement, and, in certain cases, fact-finding or arbitration of disputes concerning the terms of a collective bargaining agreement. Such delegation shall not eliminate a party's right of appeal to the commission. The executive director, with such assistance as may be provided by the attorney general and such additional legal assistance consistent with chapter 43.10 RCW, shall have authority on behalf of the commission, when necessary to carry out or enforce any action or decision of the commission, to petition any court of competent jurisdiction for an order requiring compliance with the action or decision.

(3)(a) The commission shall employ such employees as it may from time to time find necessary for the proper performance of its duties, consistent with the provisions of this chapter.

(b) The employees of the commission shall also provide staff support to the legislative commission in carrying out the legislative commission's duties under chapter 44.90 RCW until the legislative commission expires on December 31, 2027, under section 17 of this act.

(4) The payment of all of the expenses of the commission, including travel expenses incurred by the members or employees of the commission under its orders, shall be subject to the provisions of RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 19. A new section is added to

chapter 44.90 RCW to read as follows:

(1) The following activities conducted by or on behalf of legislative employees related to collective bargaining under this chapter are exempt from the restrictions contained in RCW 42.52.020 and 42.52.160:

(a) Using paid time and public resources by an employee to negotiate or administer a collective bargaining agreement under this chapter when the employee is assigned to negotiate or administer the collective bargaining agreement and the use of paid time and public resources does not include state purchased supplies or equipment, does not interfere with or distract from the conduct of state business, and is consistent with the employer's policy on the use of paid time;

(b) Lobbying conducted by an employee organization, lobbyist, association, or third party on behalf of legislative employees concerning legislation that directly impacts legislative workplace conditions;

(c) Communication with a prospective employee organization during nonwork hours and without the use of public resources; or

(d) Conducting the day-to-day work of organizing and representing legislative employees in the workplace while serving in a legislative employee organization leadership position.

(2)(a) Nothing in this section affects the application of the prohibition against the use of special privileges under RCW 42.52.070, confidentiality requirements under RCW 42.52.050, or other applicable provisions of chapter 42.52 RCW to legislative employees.

(b) Nothing in this section permits any direct lobbying by a legislative employee.

(3) As used in this section, "lobby" and "lobbyist" have the meanings provided in RCW 42.17A.005.

Sec. 20. RCW 42.52.020 and 1996 c 213 s 2 are each amended to read as follows:

(1) No state officer or state employee may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties.

(2) This section does not apply to activities conducted by legislative employees authorized under section 19 of this act.

Sec. 21. RCW 42.52.160 and 2023 c 91 s 3 are each amended to read as follows:

(1) No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.

(2) This section does not prohibit the use of public resources to benefit others as part of a state officer's or state employee's official duties. It is not a violation of this section for a legislator or an appropriate legislative staff designee to engage in activities listed under RCW 42.52.070(2) or 42.52.822.

(3) This section does not prohibit de minimis use of state facilities to provide employees with information about (a) medical, surgical, and hospital care; (b) life insurance or accident and health disability insurance; or (c) individual retirement accounts, by any person, firm, or corporation administering such program as part of authorized payroll deductions pursuant to RCW 41.04.020.

(4) The appropriate ethics boards may adopt rules providing exceptions to this section for occasional use of the state officer or state employee, of de minimis cost and value, if the activity does not result in interference with the proper performance of public duties.

(5) This section does not apply to activities conducted by legislative employees authorized under section 19 of this act.

NEW SECTION. **Sec. 22.** 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 May 1, 2024."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Stanford moved that the Senate refuse to concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6194 and ask the House to recede therefrom.

Senator Stanford spoke in favor of the motion.

Senator Braun spoke against the motion.

MOTIONS

On motion of Senator Wagoner, Senator Short was excused.

On motion of Senator Nobles, Senator Kauffman was excused.

The President declared the question before the Senate to be the motion by Senator Stanford that the Senate refuse to concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6194 and ask the House to recede therefrom.

The motion by Senator Stanford carried and the Senate refused to concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6194 and asked the House to recede therefrom by voice vote.

REPORT OF THE CONFERENCE COMMITTEE

Engrossed Substitute House Bill No. 2134

March 7, 2024

MR. PRESIDENT:

MR. SPEAKER:

We of your conference committee, to whom was referred Engrossed Substitute House Bill No. 2134, have had the same under consideration and recommend that all previous amendments not be adopted and that the following striking amendment be adopted:

Strike everything after the enacting clause and insert the following:

"2023-2025 FISCAL BIENNIUM

GENERAL GOVERNMENT AGENCIES—OPERATING

Sec. 101. 2023 c 472 s 101 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Motor Vehicle Account—State Appropriation~~(\$588,900)~~
\$587,000

Sec. 102. 2023 c 472 s 105 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

Motor Vehicle Account—State Appropriation ..~~(\$1,462,000)~~
\$1,473,000

Sec. 103. 2023 c 472 s 108 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE

Carbon Emissions Reduction Account—State
Appropriation..... \$5,000,000
Electric Vehicle Account—State Appropriation..... \$220,000
TOTAL APPROPRIATION..... \$5,220,000

The ~~((appropriation))~~ appropriations in this section ~~((is))~~ are

subject to the following conditions and limitations:

(1) \$220,000 of the electric vehicle account—state appropriation is provided solely to the department to commission an independent study, based on the findings of the transportation electrification strategy authorized under RCW 43.392.040, of costs of installation, maintenance, and operation of electrical distribution infrastructure on the utility's side of the meter to commercial customers installing electric vehicle supply equipment. The department shall gather data from at least five electric utilities serving retail customers in the state for purposes of completing the study. The department shall submit a report of study findings and an explanation of how those findings will support implementation of the transportation electrification strategy authorized under RCW 43.392.040 to the governor and appropriate legislative committees by November 1, 2024.

(2) Beginning January 1, 2025, \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for a tribal electric boat grant program. Federally recognized tribes, tribal enterprises, and tribal members are eligible to apply for grant funds for the purchase of or conversion to electric motors and engines for fishing vessels.

Sec. 104. 2023 c 472 s 109 (uncodified) is amended to read as follows:

FOR THE BOARD OF PILOTAGE COMMISSIONERS

Pilotage Account—State Appropriation ~~(\$3,574,000)~~
\$3,366,000

Multimodal Transportation Account—State Appropriation
..... \$211,000

TOTAL APPROPRIATION \$3,577,000

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

(1) The board of pilotage commissioners shall file the annual report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) by September 1, 2023, and annually thereafter. The report must include the continuation of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.

(2) ~~(\$232,000)~~ \$210,000 of the pilotage account—state appropriation ~~((is))~~ and \$211,000 of the multimodal transportation account—state appropriation are for a temporary environmental planner position to support rule making to fulfill the requirements of chapter 289, Laws of 2019.

Sec. 105. 2023 c 472 s 111 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

Motor Vehicle Account—State Appropriation..... \$1,000,000
Multimodal Transportation Account—State

Appropriation \$5,000,000
TOTAL APPROPRIATION \$6,000,000

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

(1) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the University of Washington's sidewalk inventory and accessibility mapping project to develop a public dataset under an open license and develop the tools needed to publish that data according to an open data specification. The project must include, but is not limited to, utilization of existing data sources, imagery, detailed surveys, and manually collected, detailed data for city streets, county rural and urban local access roads and collectors/arterials, state roads of all types, and roads owned by other entities. The project may draw on partially developed sidewalk data for all state facilities. To the extent practicable, the final product must be suitable for use by

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the department of transportation, local and regional agencies, tribal governments, and the general public. For the 2023-2025 fiscal biennium, the project will produce a base active transportation data layer for all counties, with priority given to counties with high proportions of overburdened communities. A project status report is due to the transportation committees of the legislature on December 1st of each year until the work is completed. The legislature intends that in the 2025-2027 fiscal biennium, \$5,000,000 of multimodal transportation account funds be provided to complete a second phase of work on the active transportation data.

(2)(a) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the Washington state transportation center to fund:

- (i) Intern programs with the department of transportation;
- (ii) A road scholars short-term training program; and
- (iii) Professional master's degree fellowships between the department of transportation and the University of Washington within a program in civil and environmental engineering.

(b) Of the amounts provided in this subsection, \$81,000 is provided solely for the center to consult with the board of registration for professional engineers and land surveyors to conduct a statewide survey and analysis assessing workforce shortages of civil engineers, civil engineering technicians, land surveyors, land surveyor technicians, and related disciplines. The center shall create a recommended action plan, with input from the legislative transportation committees, to address engineering workforce shortages and to meet the increased demand for services. The analysis and recommended action plan must include, for civil engineers, civil engineering technicians, land surveyors, land surveyor technicians, and related disciplines, at a minimum:

- (i) Opportunities to create diverse and equitable engineering workforce;
- (ii) Workforce data and gaps;
- (iii) Current education pathways and licensure processes;
- (iv) Current programs focused on workforce development and position skill-up opportunities;
- (v) Strategies to retain workforce within the state;
- (vi) Outreach opportunities and interinstitutional partnerships with middle schools, high schools, postsecondary institutions, and postgraduate programs; and
- (vii) Recommendations for additional scholarships, internship and apprenticeship opportunities, undergraduate and graduate fellowship opportunities, and industry partnership opportunities.

(c) The center shall provide a preliminary plan with proposed actions, budgets, and outcomes to the transportation committees of the legislature by November 2024. The center shall provide a final action plan report with relevant recommendations to the transportation committees of the legislature by December 31, 2024.

Sec. 106. 2023 c 472 s 114 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

Carbon Emissions Reduction Account—State
 Appropriation.....(~~\$6,000,000~~)
\$18,000,000

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

(1)(a) \$6,000,000 of the carbon emissions reduction account—state appropriation (~~is~~) , and beginning January 1, 2025, \$12,000,000 of the carbon emissions reduction account—state appropriation, are provided solely for zero emission electric vehicle supply equipment infrastructure at facilities to

accommodate charging station installations. The electric vehicle charging equipment (~~(must allow for the collection of usage data and)~~) must be coordinated with the state efficiency and environmental performance program. The department must prioritize locations based on state efficiency and environmental performance location priorities and where zero emission fleet vehicles are located or are scheduled to be purchased.

~~((2))~~ (b) The department must report when and where the equipment was installed(~~(, usage data at each charging station,))~~ and the state agencies and facilities that benefit from the installation of the charging station to the fiscal committees of the legislature by June 30, 2025, with an interim report due January 2, 2024. The department shall collaborate with the interagency electric vehicle coordinating council to implement this section and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).

~~((3))~~ (2) In carrying out this section, the department shall cooperate and provide assistance, as requested, in the joint transportation committee's development of program delivery evaluation tools and methodologies provided under section 204 (~~(of this act)~~), chapter 472, Laws of 2023 for programs that receive funding from the carbon emissions reduction account.

~~((4))~~ (3) The department, with the assistance of designated staff in the Washington state department of transportation, must register for the clean fuels credit program and start tracking revenue generation pursuant to chapter 70A.535 RCW for investments funded in an omnibus transportation appropriations act.

(4) The department must provide a report to the transportation committees of the legislature that estimates current biennial and future carbon reduction impacts resulting from zero-emission electric vehicles and supply equipment infrastructure funded in this section by June 30, 2025.

NEW SECTION. Sec. 107. A new section is added to 2023 c 472 (uncodified) to read as follows:

FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

Ignition Interlock Device Revolving Account—State
 Appropriation \$400,000

The appropriation in this section is subject to the following conditions and limitations: \$400,000 of the ignition interlock device revolving account—state appropriation is provided solely for an evaluation of compliance and results associated with the state's ignition interlock device requirements. The evaluation must include, but is not limited to, the following: (1) An assessment of the compliance rates for individuals with a legal requirement to have an ignition interlock device installed on their vehicle; (2) a review of impediments or barriers to individual compliance with ignition interlock device installation and use requirements; (3) an examination of state and local agency performance in monitoring and enforcing ignition interlock device requirements; and (4) prioritized recommendations of potential procedural, policy, or statutory changes, including additional fiscal resources to state or local agencies, which will improve ignition interlock device compliance rates. The office of financial management shall place the amount provided in this section in unallotted status until the joint legislative and audit review committee indicates that the evaluation can be completed within its workplan for the 2023-2025 fiscal biennium. If the evaluation cannot be initiated in the 2023-2025 fiscal biennium, the joint legislative and audit review committee must prioritize the evaluation of compliance and results associated with the state's ignition interlock device requirements in its workplan for the 2025-2027 fiscal biennium. The director of the office of financial management or the director's designee shall consult with

the chairs and ranking members of the transportation committees of the legislature before making a decision to allot these funds.

NEW SECTION. Sec. 108. A new section is added to 2023 c 472 (uncodified) to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Model Toxics Control Capital Account—State	
Appropriation.....	\$15,715,000
Carbon Emissions Reduction Account—State	
Appropriation.....	\$4,000,000
TOTAL APPROPRIATION.....	\$19,715,000

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

(1) \$15,715,000 of the model toxics control capital account—state appropriation, and beginning January 1, 2025, \$4,000,000 of the carbon emissions reduction account—state appropriation, are provided solely for the department to provide grants to transition from diesel school buses and other student transport vehicles to zero emission vehicles and for the necessary fueling infrastructure needed for zero emission student transportation. The department must prioritize school districts serving tribes and vulnerable populations in overburdened communities as defined under RCW 70A.02.010. Up to five percent of the appropriation in this section may be used for technical assistance and grant administration.

(2) In carrying out this section, the department shall cooperate and provide assistance, as requested, in the joint transportation committee's development of program delivery evaluation tools and methodologies provided under section 204, chapter 472, Laws of 2023 for programs that receive funding from the carbon emissions reduction account.

NEW SECTION. Sec. 109. A new section is added to 2023 c 472 (uncodified) to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

Multimodal Transportation Account—State	
Appropriation.....	\$140,000

The appropriation in this section is subject to the following conditions and limitations: \$140,000 of the multimodal transportation account—state appropriation is provided solely for the Western Washington University center for economic and business research to conduct an economic study focused on multiple economic activities surrounding the Washington state ferry system. The study must examine the impacts on a statewide and systemwide basis, on all 10 routes of service provided by the Washington state ferries. Specifically, the study must analyze the direct economic impacts of Washington state ferry system spending, along with peer-reviewed, estimated ranges of indirect impacts on economic activities supported by the ferry fleets' movement of passengers and freight as it relates to tourism, labor, and commerce. The study must also include a review of key factors that impact the overall economy of both ferry-served communities and the state economy, which may include impacts on housing, health care costs and access, emergency response, climate resilience, and small business. The university must submit a report summarizing the study to the office of the governor and the transportation committees of the legislature by December 31, 2024.

NEW SECTION. Sec. 110. A new section is added to 2023 c 472 (uncodified) to read as follows:

FOR THE EVERGREEN STATE COLLEGE

Aeronautics Account—State Appropriation	\$188,000
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The appropriation in this section is subject to the following conditions and limitations: \$188,000 of the aeronautics account—state appropriation is provided solely for the Washington state institute for public policy to:

(1) Conduct an independent assessment of the passenger and air cargo forecasts cited in the Puget Sound regional council regional aviation baseline study, including an evaluation of the

underlying data, assumptions, methodologies, and calculation of the level of uncertainty around the forecast;

(2) Conduct a comprehensive literature review to identify effective national and international strategies to reduce demand for air travel, including diverting such demand to other modes and whether such diversion avoids net environmental impacts to overburdened communities and vulnerable populations;

(3) Conduct a review of existing operational and technological enhancements to address environmental impacts from commercial aviation activities, including, but not limited to, climate friendly routing of aircraft, innovations intended to address the climate change effects of noncarbon dioxide emissions from aviation activities, simulation models applied to congested airports, and online tools to track, analyze, and improve carbon footprints related to aviation activities. The review should identify the feasibility of enhancements to be deployed in the state of Washington; and

(4) Provide a report to the office of the governor and the transportation committees of the legislature by December 31, 2025.

Sec. 111. 2023 c 472 s 110 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

State Patrol Highway Account—State Appropriation	\$750,000
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The appropriation in this section is subject to the following conditions and limitations: \$750,000 of the state patrol highway account—state appropriation is provided solely to the state office of equity to contract with an independent consultant to conduct the studies, evaluations, and reporting functions required in RCW 43.06D.060(2), and for the office to conduct the work specified in RCW 43.06D.060 (1) and (3).

TRANSPORTATION AGENCIES—OPERATING

Sec. 201. 2023 c 472 s 201 (uncodified) is amended to read as follows:

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway Safety Account—State Appropriation	(\$5,252,000)	\$7,842,000
Highway Safety Account—Federal Appropriation	(\$27,735,000)	\$35,745,000
Highway Safety Account—Private/Local Appropriation		\$60,000
Cooper Jones Active Transportation Safety Account—State Appropriation	(\$636,000)	\$836,000
School Zone Safety Account—State Appropriation ..	\$850,000	
TOTAL APPROPRIATION	(\$34,533,000)	\$45,333,000

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

(1) Within existing resources, the commission must examine national safety reports and recommendations on alcohol and drug impaired driving and report to the transportation committees of the legislature, by December 15, 2023, any recommendations for legislative or policy changes to improve traffic safety in Washington state.

(2)(a) \$235,500 of the Cooper Jones active transportation safety account—state appropriation is provided solely for the commission to conduct research pertaining to the issue of street lighting and safety, including a public input component and learning from counties, cities, the state, and other impacted entities. Research may include the following:

(i) Interviewing additional local and regional roads departments, water-sewer districts, and other utility services to

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gather a holistic data set or further input on which authority assumes primary responsibility for street illumination in various underserved areas throughout the state;

(ii) Systematically soliciting information from communities with poor street illumination and lighting to gather input as to whether this is an issue the community would like to see improved;

(iii) Conferring with regional and state-level police, fire, and emergency medical services to assess and document potential delays in emergency response times due to poor street illumination;

(iv) Further assessing the impact of using LED lights in roadway and pedestrian scale lighting in reducing carbon emissions and light pollution throughout the United States; and

(v) Subject to more in-depth findings, convening a meeting with appropriate state, regional, and local stakeholders and community partners.

(b) The commission must report research results and provide any recommendations for legislative or policy action to the transportation committees of the legislature by January 1, 2025.

(3) Within existing resources, the commission, through the Cooper Jones active transportation safety council, must prioritize the review of pedestrian, bicyclist, or nonmotorist fatality and serious injury review when the victim is a member of a federally recognized tribe. Consistent with RCW 43.59.156(5), the commission may recommend any policy or legislative changes to improve traffic safety for tribes through such review.

(4) Within existing resources, the commission must review and report to the transportation committees of the legislature, by December 15, 2023, on strategies and technologies used in other states to prevent and respond to wrong-way driving crashes.

(5)(a) The Washington traffic safety commission shall coordinate with each city that implements a pilot program as authorized in RCW 46.63.170(6) to provide the transportation committees of the legislature with the following information by June 30, 2025:

~~((a))~~ (i) The number of warnings and infractions issued to first-time violators under the pilot program;

~~((b))~~ (ii) The number of warnings and infractions issued to the registered owners of vehicles that are not registered with an address located in the city conducting the pilot program; and

~~((c))~~ (iii) The frequency with which warnings and infractions are issued on weekdays versus weekend days.

(b) If chapter . . . (Engrossed Substitute House Bill No. 2384), Laws of 2024 is enacted by June 30, 2024, the requirement in this subsection lapses.

(6) \$50,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(7) The Washington traffic safety commission may oversee a pilot program in up to three cities implementing the use of automated vehicle noise enforcement cameras in zones that have been designated by ordinance as "Stay Out of Areas of Racing."

(a) Any programs authorized by the commission must be authorized by December 31, 2024.

(b) If a city has established an authorized automated vehicle noise enforcement camera pilot program under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based upon the value of the equipment and services provided or rendered in support of the system.

(c) Any city administering a pilot program overseen by the traffic safety commission shall use the following guidelines to administer the program:

(i) Automated vehicle noise enforcement camera may record photographs or audio of the vehicle and vehicle license plate only while a violation is occurring. The picture must not reveal the face of the driver or of passengers in the vehicle;

(ii) The law enforcement agency of the city or county government shall install two signs facing opposite directions within 200 feet, or otherwise consistent with the uniform manual on traffic control devices, where the automated vehicle noise enforcement camera is used that state "Street Racing Noise Pilot Program in Progress";

(iii) Cities testing the use of automated vehicle noise enforcement cameras must post information on the city website and notify local media outlets indicating the zones in which the automated vehicle noise enforcement cameras will be used;

(iv) A city may only issue a warning notice with no penalty for a violation detected by automated vehicle noise enforcement cameras in a Stay Out of Areas of Racing zone. Warning notices must be mailed to the registered owner of a vehicle within 14 days of the detected violation;

(v) A violation detected through the use of automated vehicle noise enforcement cameras is not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120;

(vi) Notwithstanding any other provision of law, all photographs, videos, microphotographs, audio recordings, or electronic images prepared under this subsection (7) are for the exclusive use of law enforcement in the discharge of duties under this section and are not open to the public and may not be used in a court in a pending action or proceeding. No photograph, microphotograph, audio recording, or electronic image may be used for any purpose other than the issuance of warnings for violations under this section or retained longer than necessary to issue a warning notice as required under this subsection (7); and

(vii) By June 30, 2025, the participating cities shall provide a report to the commission and appropriate committees of the legislature regarding the use, public acceptance, outcomes, warnings issued, data retention and use, and other relevant issues regarding automated vehicle noise enforcement cameras demonstrated by the pilot projects.

(8) \$200,000 of the Cooper Jones active transportation safety account—state appropriation is provided solely for the commission, in consultation with the Cooper Jones active transportation safety council, to research and develop a pilot program for the use of light meters by law enforcement to measure lighting levels at locations where a serious injury or fatality involving a vehicle has occurred. However, the funds must be held in unallotted status until the commission submits a spending plan for the pilot program to the transportation committees of the legislature and the office of the governor.

(9) \$300,000 of the highway safety account—state appropriation is provided solely for the commission to purchase telematics data from a qualified vendor that provides anonymized information on vehicle speeds and driver behaviors, such as hard braking, on a statewide basis and in selected geographical areas based upon demographic characteristics and crash history. The commission must provide an annual report summarizing findings from the telematics data to the transportation committees of the legislature beginning by June 30, 2025, and until June 30, 2027.

(10) \$750,000 of the highway safety account—state appropriation is provided solely for a pilot program for dedicated probation or compliance officers at the local level to improve compliance with ignition interlock device installation requirements associated with impaired driving offenses. The commission must select locations based on an assessment of ignition interlock device compliance rates, and the willingness and ability to have staff dedicated to this activity. By June 30,

2025, the commission must provide to the transportation committees of the legislature a status report on the specific locations selected and any outcome information.

(11) \$1,000,000 of the highway safety account—state appropriation is provided solely to implement a multifaceted approach to supplement existing funding targeted at impaired driving and other enforcement. The areas of emphasis expected to be funded include additional high visibility enforcement and indigenous knowledge-informed tribal traffic safety support. Funding is also provided for the commission to administer and provide oversight of these activities. The commission must provide a preliminary report to the transportation committees of the legislature on these funded activities and any outcome information by December 1, 2025, with a final report due by December 1, 2026.

Sec. 202. 2023 c 472 s 202 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State Appropriation	((\$2,405,000))
	<u>\$1,615,000</u>
Motor Vehicle Account—State Appropriation ..	((\$3,005,000))
	<u>\$3,524,000</u>
County Arterial Preservation Account—State Appropriation.....	((\$1,808,000))
	<u>\$1,839,000</u>
TOTAL APPROPRIATION.....	((\$7,218,000))
	<u>\$6,978,000</u>

The appropriations in this section are subject to the following conditions and limitations: Within appropriated funds, the county road administration board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

Sec. 203. 2023 c 472 s 203 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account—State Appropriation.....	((\$4,798,000))
	<u>\$4,820,000</u>

The appropriation in this section is subject to the following conditions and limitations: Within appropriated funds, the transportation improvement board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

Sec. 204. 2023 c 472 s 204 (uncodified) is amended to read as follows:

FOR THE JOINT TRANSPORTATION COMMITTEE

Carbon Emissions Reduction Account—State Appropriation.....	((\$3,000,000))
	<u>\$3,477,000</u>
Multimodal Transportation Account—State Appropriation.....	((\$125,000))
	<u>\$552,000</u>
Motor Vehicle Account—State Appropriation ..	((\$4,270,000))
	<u>\$5,100,000</u>
<u>Puget Sound Ferry Operations Account—State</u>	

Appropriation.....	\$100,000
TOTAL APPROPRIATION	((\$7,395,000))
	<u>\$9,229,000</u>

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

(1)(a) \$300,000 of the motor vehicle account—state appropriation is for the joint transportation committee, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to convene a study of a statewide retail delivery fee on orders of taxable retail items delivered by motor vehicles within the state. The study must:

- (i) Determine the annual revenue generation potential of a range of fee amounts;
- (ii) Examine options for revenue distributions to state and local governments based upon total deliveries, lane miles, or other factors;
- (iii) Estimate total implementation costs, including start-up and ongoing administrative costs; and
- (iv) Evaluate the potential impacts to consumers, including consideration of low-income households and vulnerable populations and potential impacts to businesses.

(b) The study should document and evaluate similar programs adopted in other states. The joint transportation committee must submit a report on the study to the transportation committees of the legislature by June 30, 2024.

(2)(a) \$400,000 of the motor vehicle account—state appropriation is for the joint transportation committee, in collaboration with the department of transportation, to convene a work group to study and recommend a new statutory framework for the department's public-private partnership program. The committee may contract with a third-party consultant for work group support and drafting the new statutory framework.

(b)(i) The work group must consist of, but is not limited to, the following members:

- (A) The secretary of transportation or their designee;
- (B) Joint transportation committee executive committee members or their designees;
- (C) The state treasurer or the state treasurer's designee;
- (D) A representative of a national nonprofit organization specializing in public-private partnership program development;
- (E) A representative of the construction trades; and
- (F) A representative from an organization representing general contractors.

(ii) The work group must also consult with the Washington state transportation commission and the department of commerce.

(c)(i) The work group must review the 2012 joint transportation committee's "Evaluation of Public-Private Partnerships" study, consisting of an evaluation of the recommendations for replacing chapter 47.29 RCW and development of a process for implementing public-private partnerships that serve the defined public interest, including, but not limited to:

- (A) Protecting the state's ability to retain public ownership of assets constructed or managed under a public-private partnership contract;
- (B) Allowing for the most transparency during the negotiation of terms of a public-private partnership agreement; and
- (C) Addressing the state's ability to oversee the private entity's management of the asset.

(ii)(A) The work group must identify any barriers to the implementation of funding models that best protect the public interest, including statutory and constitutional barriers.

(B) The work group may also evaluate public-private partnership opportunities for required fish passage and culvert work on state highways, for the construction of, replacement of, or commercial retail options within Washington state ferries' terminals, and for other projects as determined by the work group.

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(iii) The work group must update the 2012 recommendations and devise an implementation plan for the state.

(d) The work group must submit a preliminary report, including any recommendations or draft legislation, to the office of the governor and the transportation committees of the legislature by December 15, 2023. The work group must submit a final report with draft legislation to the office of the governor and the transportation committees of the legislature by July 1, 2024.

~~((4))~~ (3) \$300,000 of the motor vehicle account—state appropriation is for the joint transportation committee, from amounts set aside out of statewide fuel taxes distributed to cities according to RCW 46.68.110(2), to contract with the municipal research and services center to convene a department of transportation-local government partnership work group to create a procedure in which the department of transportation can partner with a local jurisdiction to perform preservation and maintenance and construct projects on state highways.

(a) The work group must consist of, but is not limited to, the following members:

(i) One representative from a city with a population of more than 5,000 and fewer than 50,000;

(ii) One representative from a city with a population of more than 50,000;

(iii) One representative from a county with a population of more than 100,000 and fewer than 400,000;

(iv) One representative from a county with a population of more than 400,000;

(v) At least one representative of a public port;

(vi) A representative from the county road administration board;

(vii) A representative of the transportation improvement board;

(viii) At least one representative from the department of transportation's local programs division;

(ix) At least two representatives from the department of transportation with expertise in procurement and legal services; and

(x) At least one member from the house of representatives transportation committee and at least one member from the senate transportation committee.

(b) Of the members described in (a) of this subsection, at least one of the city representatives and one of the county representatives must have public works contracting experience, and at least one of the city representatives and one of the county representatives must have public works project management experience.

(c) The work group must make recommendations of how the department of transportation could better work in partnership with local jurisdictions to ensure that roadway construction projects can be performed when funds are made available in the omnibus transportation appropriations act even if the department of transportation does not have the capacity to be the project manager on a project and a local jurisdiction is ready, willing, and able to implement the project within the time frames envisioned in the omnibus transportation appropriations act. In developing its recommendations, the work group must consider, at a minimum:

(i) Differing roadway and construction standards between state and local agencies;

(ii) Revenue, reimbursement, and financial agreements between state and local agencies;

(iii) Differing procurement processes between state and local agencies;

(iv) Liability; and

(v) Other issues as determined by the work group.

(d) The work group must submit a preliminary report, including any recommendations, to the office of the governor and the

transportation committees of the legislature by December 15, 2023. The work group must submit a final report to the office of the governor and the transportation committees of the legislature by July 1, 2024.

~~((5))~~ (4)(a) \$2,000,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to oversee:

(i) The design of an infrastructure and incentive strategy to drive the purchase and use of zero emission medium and heavy duty vehicles, as well as cargo handling and off-road equipment, in the state including, but not limited to, programs for tractor trucks, box trucks, drayage trucks, refuse trucks, step and panel vans, heavy and medium-duty buses, school buses, on and off-road terminal tractors, transport refrigeration units, forklifts, container handling equipment, airport cargo loaders, and railcar movers; and

(ii) A review of the passenger vehicle tax incentive in current law and evaluation of its utility, to include possible modification of the criteria for eligibility and tax incentive amount maximums, as applicable.

(b) Design development must include recommendations for encouraging vehicle conversions for smaller commercial vehicle fleets and owner-operators of commercial vehicles, as well as tools for facilitating carbon emission reductions to benefit vulnerable populations and overburdened communities. Infrastructure and incentive programs recommended may include, but are not limited to, grant, rebate, tax incentive, and financing assistance programs.

(c) Consultation with legislative members identified by the chair and ranking members of the transportation committees of the legislature throughout design of the infrastructure and incentive strategy is required. A report is due to the transportation committees of the legislature by January 2, 2024.

~~((6))~~ (5) \$125,000 of the motor vehicle account—state appropriation and \$125,000 of the multimodal transportation account—state appropriation are for the joint transportation committee to evaluate potential options and make recommendations for a statewide household travel survey and additional analytical capacity regarding transportation research.

(a) The recommendation on the statewide household travel survey must be based on how well a statewide survey investment would: Address policy questions related to household travel; address gaps between separate regional and local transportation models; and create a dataset to allow both for analysis and response to policymakers' questions relating to household travel and for transportation modeling and development. In evaluating potential survey options, the committee shall consider opportunities for the state to partner and expand on developed established household travel surveys, including surveys conducted at both the Puget Sound regional council and the federal highway administration. In its recommendation, the committee shall outline the process required for a statewide survey, including the costs and timing of each option.

(b) The committee shall recommend an agency or agencies to perform ongoing analysis of a statewide household travel survey and other transportation research. The committee shall consider the ability of an agency or agencies to meet shorter timeline policy needs, as well as longer timeline research projects. The recommendation must include the timing and costs associated with the development of such analytical capacity.

~~((7))~~ (6) \$1,000,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to oversee the development of tools and methodologies to assist in program delivery evaluation for programs that receive appropriations from the carbon emissions

reduction account. Program delivery evaluation must include carbon emissions reduction estimates by program and by unit of time, program cost per unit of emission reduction, quantified benefits to vulnerable populations and overburdened communities by program cost, any additional appropriate qualitative and quantitative metrics, and actionable recommendations for improvements in program delivery. A report is due to the transportation committees of the legislature by October 1, 2024.

~~((8))~~ (7) \$500,000 of the motor vehicle account—state appropriation is for the joint transportation committee to engage an independent review team to work in coordination with the Washington state department of transportation's analysis, funded in section 217~~((11) of this act)~~ (10), chapter 472, Laws of 2023, of highway, road, and freight rail transportation needs, options, and impacts from shifting the movement of freight and goods that currently move by barge through the lower Snake river dams to highways, other roads, and rail.

(a) The department shall include the independent review team in all phases of the analysis to enable the team to develop an independent assessment of the analysis, assumptions, stakeholder engagement, and cost and impact estimates. Summary findings from the independent assessment must be provided to the department, the governor's office, and the transportation committees of the legislature on a quarterly basis, with ~~((a final))~~ an end of biennium report due to the governor and the transportation committees of the legislature by June 30, 2025.

(b) The independent review team must conduct an independent stakeholder engagement effort. The river transportation work group must be formed to provide data and guidance to the independent review team for the independent stakeholder engagement effort. The river transportation work group must be made up of stakeholders, including farming and agricultural production, ~~((federally recognized tribes and))~~ fishing industry, tug and barge operators, shippers and receivers, public ports, railroad operators, cruise lines, the federal highway administration, and the army corps of engineers. Consultations with federally recognized tribes must also occur in coordination with the Washington state department of transportation.

(c) The independent review team shall make regular presentations to the joint transportation committee and, by request, to the transportation committees of the legislature.

~~((9))~~ (8) The joint transportation committee shall also convene a work group that includes, but is not limited to, the executive committee of the joint transportation committee, the office of financial management, the Washington state department of transportation, and the Washington state treasurer's office to develop recommendations, by October 15, 2023, to meet the challenge of identifying an achievable delivery schedule for completing transportation projects across the state.

(9)(a) \$450,000 of the motor vehicle account—state appropriation is for the joint transportation committee to conduct a study and make recommendations on alternative project delivery methods that may be used by the Washington state department of transportation in public works contracting. The study must review use of design-build, design-bid-build, progressive design build, general contractor/construction manager, public-private partnerships, and other contracting methods, and how choice of project delivery method impacts cost, contract competition, and project delivery schedule.

(b) The study must also evaluate other innovative project delivery practices utilized around the country and Washington state-specific possibilities such as: (i) Increased use of the advanced environmental mitigation revolving account and advance right-of-way revolving fund as cost containment strategies; and (ii) benefits and costs associated with the bundling

of bridge, culvert, or other groups of projects into single procurement packages.

(c) The study must specifically examine contracting methods, alternative bundling concepts, and other options to manage costs as the Washington state department of transportation continues to make progress on meeting the requirements of the federal U.S. v. Washington court injunction.

(d) The study must include recommendations on any changes to current practices and statutory requirements.

(e) In developing project delivery method recommendations, the joint transportation committee must engage with industry stakeholders including, but not limited to, engineering, contracting, environmental, and women and minority-owned business communities.

(f) A preliminary report is due to the office of the governor and the transportation committees of the legislature by December 15, 2024. A final report is due to the office of the governor and the transportation committees of the legislature by June 30, 2025.

(10)(a) \$375,000 of the motor vehicle account—state appropriation is for the joint transportation committee to contract with the municipal research and services center to convene a project delivery streamlining work group to review streamlining options and recommend practices that support expedited project delivery.

(b) The work group must consist of, but is not limited to, the following members:

(i) One representative from a city with a population of more than 5,000 and fewer than 50,000;

(ii) One representative from a city with a population of more than 50,000;

(iii) One representative from a county with a population of more than 100,000 and fewer than 400,000;

(iv) One representative from a county with a population of more than 400,000;

(v) At least one representative of a transit agency serving a rural county;

(vi) At least one representative of a transit agency serving an urban county;

(vii) At least one representative of a regional transit authority;

(viii) At least one representative of a public port;

(ix) A representative from the county road administration board;

(x) A representative of the transportation improvement board;

(xi) A representative of the freight mobility strategic investment board;

(xii) At least one representative from the department of transportation's local programs division with experience in federal funding oversight; and

(xiii) At least two representatives from the department of transportation with expertise in procurement and the multiagency permit program.

(c) Of the members described in (b) of this subsection, at least one of the city representatives and one of the county representatives must have public works contracting experience, and at least one of the city representatives and one of the county representatives must have public works project management experience.

(d) The work group must review options for project streamlining to expedite project delivery that include, but are not limited to: Preapplication communication; partnership agreements; contracting processes; fund sources; mitigation; land use; rights-of-way; permitting; and shared technology; and must identify opportunities for pilot projects to test some of these recommendations.

(e) The work group must submit a preliminary report to the office of the governor and the transportation committees of the

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legislature by December 15, 2024. The work group must submit a final report to the office of the governor and the transportation committees of the legislature by June 30, 2025.

(11) \$100,000 of the Puget Sound ferry operations account—state appropriation is for the joint transportation committee to convene a work group in advance of the 75th anniversary of the Washington state ferries on June 1, 2026, to review Washington state ferry funding requirements and options to increase dedicated funding sources for the ferry system. The executive committee of the joint transportation committee may appoint relevant stakeholders as part of the work group. A preliminary report must be submitted to the governor and transportation committees of the legislature by December 15, 2024, and the legislature intends that a final report will be submitted to the governor and transportation committees of the legislature by June 1, 2026.

(12) Beginning January 1, 2025, \$477,000 of the carbon emissions reduction account—state appropriation is for the joint transportation committee to conduct a study of the impacts of implementing California's emissions standards for ocean-going vessels at berth in Titles 13 and 17 of the California Code of Regulations in Washington. The study must include estimates of greenhouse gas emissions reductions, criteria air pollutant reductions, potential labor impacts, potential impacts on shipping costs and port competitiveness, and shore power infrastructure needs and costs. The joint transportation committee must, at a minimum, coordinate with the department of ecology, department of transportation, representatives from Washington ports, shippers, utilities, and the trucking industry, impacted labor unions, and environmental organizations. The joint transportation committee must report to the transportation committees of the legislature by June 30, 2025.

(13)(a) \$250,000 of the multimodal transportation account—state appropriation is for the joint transportation committee to contract with a national expert on developing inclusive, mixed-income, mixed-use transit-oriented housing to complete a review of transit-oriented development conditions in cities in King, Pierce, Spokane, Clark, and Snohomish counties that (i) have populations of more than 12,500; and (ii) have at least one major transit stop, as defined in RCW 36.70A.030. The contracted party must have demonstrated expertise in understanding the impact of housing development on racially diverse communities, as well as expertise in, and existing peer-reviewed research on, developing housing near transit that is inclusive of low-income, workforce, and market rate housing.

(b) The review must look at any comprehensive plans, housing-focused local tax and fee programs, and development regulations required to be adopted on or before December 31, 2024. The review must include examples of local and national best practices for developing affordable housing and workforce housing near transit, and allow for comparison on a city-by-city basis. The review must also include a report with recommendations for state-level policy to expand housing and mixed-use transit-oriented development in Washington state, in a manner that minimizes displacement of existing communities and ensures housing near transit remains affordable to low-income Washingtonians. The contracted party shall provide its review to the appropriate committees of the legislature by June 30, 2025.

Sec. 205. 2023 c 472 s 205 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account—State Appropriation ..((~~\$3,029,000~~))
\$3,289,000

Interstate 405 and State Route Number 167 Express
Toll Lanes Account—State Appropriation \$150,000
Multimodal Transportation Account—State

Appropriation	\$200,000
State Route Number 520 Corridor Account—State	
Appropriation	\$288,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation	\$179,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation	\$167,000
TOTAL APPROPRIATION	((\$4,013,000))
	\$4,273,000

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

(1) \$125,000 of the multimodal transportation account—state appropriation and \$125,000 of the motor vehicle account—state appropriation are provided solely for the commission to update the statewide transportation plan required under RCW 47.01.071(4). The update process must be informed by guidance from a steering committee comprised of the commission, the joint transportation committee's executive committee, the governor's office, the secretary of the department of transportation, and representatives of metropolitan and regional transportation planning organizations. As part of the update process, the commission shall undertake specific actions in the following order:

(a) Conduct stakeholder outreach, gathering input, and framing the outreach around the current plan's policy construct and high level priorities, the 2022 transportation revenue package, and recently enacted significant policy legislation;

(b) Report outreach findings and results to the joint transportation committee for review and input;

(c) Restructure the plan to (i) primarily focus on high level policy priorities within the six transportation policy goals under RCW 47.04.280 and (ii) align policies, strategies, and objectives with the interests of stakeholders and legislators;

(d) Gather further input from stakeholders and the joint transportation committee on the restructured plan's format and content; and

(e) Finalize the updated plan, based upon input from stakeholders and the joint transportation committee.

(2) The legislature finds that the current balance of and projected revenues into the Alaskan Way viaduct replacement project account are sufficient to meet financial obligations during fiscal years 2024 and 2025.

(3) Within the parameters established under RCW 47.56.880, the commission shall review toll revenue performance on the Interstate 405 and state route number 167 corridor and adjust Interstate 405 tolls as appropriate to increase toll revenue to provide sufficient funds for payments of future debt pursuant to RCW 47.10.896 and to support improvements to the corridor. The commission shall consider adjusting maximum toll rates, minimum toll rates, and time-of-day rates, and restricting direct access ramps to transit and HOV vehicles only, or any combination thereof, in setting tolls to increase toll revenue. The commission is encouraged to make any adjustments to toll rates in coordination with the planned expansion of express toll lanes between the cities of Renton and Bellevue.

(4) \$500,000 of the motor vehicle account—state appropriation is provided solely for the commission to conduct a route jurisdiction study aimed at assessing the current state highway inventory and local roadway designations to determine if changes are needed in jurisdictional assignment between the state, county, and city road systems. The study must also review current criteria used to define the state highway system to determine if such criteria continue to be applicable. The commission shall submit a report of study findings and recommendations to the transportation committees of the legislature by July 1, 2025.

(5) The commission may coordinate with the department of transportation to jointly seek federal funds available through the federal strategic innovations in revenue collection grant program, applying toll credits for meeting match requirements. The commission must provide draft applications for federal grant opportunities to the chairs and ranking members of the transportation committees of the legislature for review and comment prior to submission.

(6) The transportation commission shall conduct an assessment aimed at identifying approaches to streamlining the current rule-making process for setting toll rates and policies for eligible toll facilities, while maintaining public access and providing opportunities to provide input on proposals. The intent of the assessment is to identify rule-making approaches that support the state's ability to set toll rates and policies in a timely and efficient manner, so that the state can meet anticipated funding obligations. This assessment should include a review of rate-setting processes used by toll authorities in other states. The transportation commission shall provide recommendations to the transportation committees of the legislature by July 31, 2024.

(7) The commission shall provide regular updates on the status of ongoing coordination with the state of Oregon on any bistate agreements regarding the mutual or joint setting, adjustment, and review of toll rates and exemptions. Prior to finalizing any such agreement, the commission shall provide a draft of the agreement to the transportation committees of the legislature for review and input. Additionally, the commission shall advise on the status of any bistate agreements to the joint transportation committee beginning in September 2023 and quarterly thereafter until any agreements are finalized.

(8) \$200,000 of the motor vehicle account—state appropriation is provided solely for the commission to carry out a study assessing approaches to increasing safety and compliance of high occupancy vehicle lanes, express toll lanes, tolled facilities, and construction zones, facilitated by advanced technologies.

(a) The approaches assessed must, at a minimum, focus on advanced roadside technologies that: Are able to operate independently without connection to the department of transportation's existing communication systems and utilities; have a limited physical footprint that does not use over-roadway infrastructure; and have a 95 percent or greater license plate reading accuracy.

(b) The study must review current laws, including assessing underlying policies related to prohibitions on program cost coverage coming from infraction or other revenues generated by advanced technology systems, and identify provisions needed to enable a future technology-based safety and compliance program.

(c) The commission shall submit an interim report to the transportation committees of the legislature by January 10, 2024, that, at a minimum, provides an initial assessment of the viability of deploying a system into operation. A final report of findings and recommendations must be submitted to the transportation committees of the legislature by June 30, 2024.

(9) \$75,000 of the multimodal transportation account—state appropriation is provided solely for the commission to carry out an initial assessment and scoping effort to determine the feasibility of creating a future west coast transportation network plan. This plan would serve to proactively identify and coordinate improvements and investments across the west coast states to freight rail, passenger rail, highways, and air transportation. The intent for the plan is to leverage and align west coast efforts to reduce our collective carbon footprint, improve freight and passenger mobility, and strengthen west coast resiliency. This effort must be carried out in partnership with the Oregon and California transportation commissions and the state department of transportations from each state, and must consider, but not be

limited to:

(a) Current state activities, investments, and plans that support the establishment of clean transportation in the air, on the highways, and on rail lines moving freight and passengers;

(b) Currently identified resiliency risks along the west coast and existing strategic plans and investments that could inform a future west coast unified plan; and

(c) Incorporation of work from the statewide transportation policy plan.

(10) \$250,000 of the motor vehicle account—state appropriation is provided solely for the commission to carry out engagement with Washington stakeholders on the results of the recently completed Forward Drive research program to inform next steps on road usage charging. The commission must submit a report of findings and recommendations to the transportation committees of the legislature by December 1, 2024.

Sec. 206. 2023 c 472 s 206 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Multimodal Transportation Account—State	
Appropriation	\$400,000
Freight Mobility Investment Account—State	
Appropriation	(\$1,591,000)
	<u>\$1,595,000</u>
TOTAL APPROPRIATION	(\$1,991,000)
	<u>\$1,995,000</u>

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

(1) Within appropriated funds, the freight mobility strategic investment board may opt in as provided under RCW 70A.02.030 to assume all of the substantive and procedural requirements of covered agencies under chapter 70A.02 RCW. The board shall include in its 2023 and 2024 annual reports to the legislature a progress report on opting into the healthy environment for all act and a status report on diversity, equity, and inclusion within the board's jurisdiction.

(2) The board shall on an annual basis provide a status update on project delivery, including information on project timeline, cost, and budgeted cash flow over time to the office of financial management and the transportation committees of the legislature on the delivery of the freight mobility strategic investment projects on LEAP Transportation Document (~~2023-2~~) 2024-2 ALL PROJECTS, as developed on (~~April 21, 2023~~) March 6, 2024.

(3) \$731,000 of the freight mobility investment account—state appropriation is provided solely for the implementation of chapter 167, Laws of 2023 (freight mobility priorities). If chapter 167, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(4) \$400,000 of the multimodal transportation account—state appropriation is provided solely for the board, in consultation with the department of transportation, to develop an implementation plan for specific truck parking solutions. It is the intent of the legislature for the board to identify specific sites to increase truck parking capacity in the near term, as well as to recommend other steps that can be taken in the 2024 and 2025 legislative sessions to increase truck parking capacity. The board must provide a status report that includes funding recommendations for the 2024 legislative session to the transportation committees of the legislature by December 1, 2023, and a final report that includes detailed findings on additional specific sites and specific actions recommended to expand truck parking capacity in the near term to the transportation committees of the legislature by December 1, 2024.

Sec. 207. 2023 c 472 s 207 (uncodified) is amended to read

as follows:

FOR THE WASHINGTON STATE PATROL

Alaskan Way Viaduct Replacement Project Account—	
State Appropriation.....	\$43,000
State Patrol Highway Account—State Appropriation	
.....	(\$610,711,000)
	<u>\$629,476,000</u>
State Patrol Highway Account—Federal Appropriation	
.....	(\$20,340,000)
	<u>\$19,360,000</u>
State Patrol Highway Account—Private/Local	
Appropriation.....	\$4,594,000
Highway Safety Account—State Appropriation	(\$1,447,000)
	<u>\$1,736,000</u>
Ignition Interlock Device Revolving Account—State	
Appropriation.....	(\$1,959,000)
	<u>\$2,208,000</u>
Multimodal Transportation Account—State	
Appropriation.....	\$316,000
State Route Number 520 Corridor Account—State	
Appropriation.....	\$89,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation.....	\$275,000
I-405 and SR 167 Express Toll Lanes Account—State	
Appropriation.....	\$2,895,000
TOTAL APPROPRIATION.....	(\$642,669,000)
	<u>\$660,992,000</u>

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

(1) \$580,000 of the state patrol highway account—state appropriation is provided solely for the operation of and administrative support to the license investigation unit to enforce vehicle registration laws in southwestern Washington. The Washington state patrol, in consultation with the department of revenue, shall maintain a running estimate of the additional vehicle registration fees, sales and use taxes, and local vehicle fees remitted to the state pursuant to activity conducted by the license investigation unit. Beginning October 1, 2023, and semiannually thereafter, the Washington state patrol shall submit a report detailing the additional revenue amounts generated since July 1, 2023, to the director of the office of financial management and the transportation committees of the legislature. At the end of the fiscal quarter in which it is estimated that more than \$625,000 in state sales and use taxes have been remitted to the state since July 1, 2023, the Washington state patrol shall notify the state treasurer and the state treasurer shall transfer funds pursuant to section 406 ~~(of this act)~~, chapter 472, Laws of 2023.

(2) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(3)(a) By December 1st of each year during the 2023-2025 fiscal biennium, the Washington state patrol must report to the transportation committees of the legislature on the status of recruitment and retention activities as follows:

- (i) A summary of recruitment and retention strategies;
- (ii) The number of transportation funded staff vacancies by major category;
- (iii) The number of applicants for each of the positions by these categories;

- (iv) The composition of workforce;
- (v) Other relevant outcome measures with comparative information with recent comparable months in prior years; and

(vi) Activities related to the implementation of the agency's workforce diversity plan, including short-term and long-term, specific comprehensive outreach, and recruitment strategies to increase populations underrepresented within both commissioned and noncommissioned employee groups.

(b) During the 2023-2025 fiscal biennium, the office of financial management, with assistance of the Washington state patrol, must conduct two surveys regarding the competitiveness with law enforcement agencies within the boundaries of the state of Washington pursuant to RCW 43.43.380, with the first survey being informational regarding the change since the last survey was conducted and the second survey used as part of the collective bargaining process. Prior to the 2024 legislative session, the office of financial management, with assistance of the Washington state patrol, must also provide comparison information regarding recruitment bonus amounts currently being offered by local law enforcement agencies in the state.

(4)(a) \$6,575,000 of the state patrol highway account—state appropriation is provided solely for the land mobile radio system replacement, upgrade, and other related activities.

(b) Beginning January 1, 2024, the Washington state patrol must report semiannually to the office of the chief information officer on the progress related to the projects and activities associated with the land mobile radio system, including the governance structure, outcomes achieved in the prior six-month time period, and how the activities are being managed holistically as recommended by the office of the chief information officer. At the time of submittal to the office of the chief information officer, the report must be transmitted to the office of financial management and the transportation committees of the legislature.

~~((6))~~ (5) \$2,688,000 of the state patrol highway account—state appropriation is provided solely for enhancing the state patrol's diversity, equity, and inclusion program, a community engagement program to improve relationships with historically underrepresented communities and to recruit and retain a diverse workforce, and contracting with an external psychologist to perform exams. The state patrol will work with the governor's office of equity and meet all reporting requirements and responsibilities pursuant to RCW 43.06D.060. Funds provided for the community engagement program must ensure engagement with communities throughout the state.

~~((7))~~ (6)(a) \$10,000 of the state patrol highway account—state appropriation is provided solely for the Washington state patrol to administer a pilot program that implements a yellow alert system notifying the public when a hit-and-run accident resulting in a fatality or substantial bodily harm has occurred and been reported to the state patrol or other local law enforcement entity. The Washington state patrol must post on traffic message boards or share on public communication systems any identifying information acquired including, but not limited to, a complete or partial license plate number or a description of the vehicle. Each alert must be posted or shared as such for at least 24 hours.

(b) The Washington state patrol must report the following to the transportation committees of the legislature annually until June 30, 2025:

- (i) The number of yellow alerts received;
- (ii) The number of arrests made from accidents reported on the yellow alert system;
- (iii) The number of hit-and-run accidents resulting in a fatality or substantial bodily harm statewide;
- (iv) The number of arrests made from accidents described under (b)(iii) of this subsection; and

(v) The number of hit-and-run accidents reported statewide.

(c) The Washington state patrol must also report on the efficacy of the program and recommend in its final report if the pilot program should continue or be enacted on a permanent basis and implemented statewide, based on the results of the report.

~~((8))~~ (7)(a) ((2,608,000)) \$2,243,000 of the state patrol highway account—state appropriation is provided solely for administrative costs, advertising, outreach, and bonus payments associated with developing and implementing a state trooper expedited recruitment incentive program for the purpose of recruiting and filling vacant trooper positions in the 2023-2025 fiscal biennium. The legislature is committed to continuing the state trooper expedited recruitment incentive program until the vacancy levels are significantly reduced from current levels. The recruitment, advertising, and outreach associated with this program must continue efforts to create a more diverse workforce and must also provide an accelerated pathway for joining the state patrol for high quality individuals who have previously been employed as a general authority peace officer.

(b) The state trooper expedited recruitment incentive program established by the Washington state patrol must include:

(i) Thorough hiring procedures to ensure that only the highest quality candidates are selected as cadets and as lateral hires, including extensive review of past law enforcement employment history through extensive reference checks, Brady list identification, and any other issues that may impact the performance, credibility, and integrity of the individual.

(ii) An accelerated training program for lateral hires from other agencies that recognizes the knowledge and experience of candidates previously employed in law enforcement; and

(iii) A sign-on bonus for each trooper hired through the expedited recruitment incentive program as follows:

(A) \$5,000 for each cadet after completion of the Washington state patrol academy;

(B) \$5,000 for each successful graduating cadet after completion of a one-year probation period;

(C) \$8,000 for each lateral hire after completion of the accelerated training program for lateral hires;

(D) \$6,000 for each lateral hire after completion of a one-year probation period; and

(E) \$6,000 for each lateral hire after completion of two years of service.

(c) The expenditure on the state trooper expedited recruitment incentive program is contingent upon execution of an appropriate memorandum of understanding between the governor or the governor's designee and the exclusive bargaining representative, consistent with the terms of this section. Expenditures and eligibility for the state trooper expedited recruitment incentive program established in this section are subject to the availability of amounts appropriated for this specific purpose.

(d) For the purposes of this subsection:

(i) "Cadet" means a person employed for the express purpose of receiving the on-the-job training required for attendance at the Washington state patrol academy and for becoming a commissioned trooper.

(ii) "Lateral hire" means an eligible employee previously employed as a general authority peace officer.

~~((9))~~ (8) \$3,896,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter 17, Laws of 2023 (speed safety cameras). If chapter 17, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((40))~~ (9) \$500,000 of the state patrol highway account—state appropriation is provided solely for bonuses and other recruitment and retention-related compensation adjustments for communication officers and other noncommissioned staff of the

Washington state patrol who are covered by a collective bargaining agreement. Funding in this subsection must first be used for targeted adjustments for communication officers. Remaining amounts may be used for compensation adjustments for other noncommissioned staff. Funding provided in this subsection is contingent upon the governor or the governor's designee reaching an appropriate memorandum of understanding with the exclusive bargaining representative. Agreements reached for compensation adjustments under this section may not exceed the amounts provided. If any agreement or combination of agreements exceed the amount provided in this subsection, all the agreements are subject to the requirements of RCW 41.80.010(3).

~~((41))~~ (10) \$3,226,000 of the state patrol highway account—state appropriation is provided solely for two accelerated training programs for lateral hires. It is the intent of the legislature that the second accelerated training program for lateral hires offered in fiscal year 2025 achieves at least 40 qualified graduates based on the Washington state patrol aggressively recruiting, advertising bonus policies, and taking other steps to achieve this outcome.

~~((42))~~ (11) \$98,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 26, Laws of 2023 (nonconviction data). If chapter 26, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((43))~~ (12) \$76,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((44))~~ (13) \$107,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 462, Laws of 2023 (domestic violence). If chapter 462, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((45))~~ (14) By December 1, 2024, the Washington state patrol must provide a report to the governor and appropriate committees of the legislature on the status of *McClain v. Washington State Patrol* and an update on legal expenses associated with the case.

~~((46))~~ (15) \$32,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter 283, Laws of 2023 (illegal racing). If chapter 283, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(16) \$5,905,000 of the state patrol highway account—state appropriation is provided solely for a third arming and third trooper basic training class. The cadet class is expected to graduate in June 2025.

(17) \$2,381,000 of the state patrol highway account—state appropriation is provided solely for the Washington state patrol to implement the provisions of the settlement agreement under *Washington State Patrol Troopers Association v. Washington State Patrol*, Public Employment Relations Commission Case No. 134557-U-21.

(18) \$2,307,000 of the state patrol highway account—state appropriation is provided solely for the migration of the agency's active directory into the state enterprise active directory.

(19) \$250,000 of the state patrol highway account—state appropriation is provided solely to expand the activities of the license investigation unit to King county on a pilot basis beyond the unit's current activities in southwestern Washington. By February 15, 2025, the Washington state patrol must provide a status report on the pilot implementation.

(20) \$2,222,000 of the state patrol highway account—state appropriation is provided solely for the first planned replacement of an aging Cessna aircraft and \$100,000 of the state patrol

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highway account—state appropriation is provided solely for the downpayment and related costs of the second planned replacement of another aging Cessna aircraft. It is the intent of the legislature to fund the second planned Cessna replacement without financing the acquisition as soon as the aircraft can be received in the 2025-2027 fiscal biennium, and therefore, the Washington state patrol may take the necessary steps to ensure delivery of the aircraft as soon as possible in the 2025-2027 fiscal biennium.

(21) \$300,000 of the state patrol highway account—state appropriation is provided solely for individual gun safes for troopers and other staff to allow the safe storage of firearms used in the performance of their duties.

(22) \$35,000 of the state patrol highway account—state appropriation is provided solely for implementation of chapter . . . (Substitute Senate Bill No. 6146), Laws of 2024 (tribal warrants). If chapter . . . (Substitute Senate Bill No. 6146), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(23) \$250,000 of the ignition interlock device revolving account—state appropriation is provided solely to improve compliance with ignition interlock device requirements associated with impaired driving offenses. By June 30, 2025, the Washington state patrol must provide a report detailing the staff hired, the activities undertaken, and outcome information associated with improving ignition interlock device compliance rates.

(24) \$691,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 2357), Laws of 2024 (state patrol longevity bonus). If chapter . . . (Substitute House Bill No. 2357), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(25) \$46,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 2153), Laws of 2024 (catalytic converters). If chapter . . . (Engrossed Substitute House Bill No. 2153), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

Sec. 208. 2023 c 472 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

Driver Licensing Technology Support Account—State	
Appropriation.....	\$1,743,000
Marine Fuel Tax Refund Account—State Appropriation	
.....	\$34,000
Motorcycle Safety Education Account—State	
Appropriation.....	(\$5,299,000)
	<u>\$5,319,000</u>
Limited Fish and Wildlife Account—State	
Appropriation.....	(\$765,000)
	<u>\$768,000</u>
Highway Safety Account—State Appropriation	
.....	(\$277,256,000)
	<u>\$283,109,000</u>
Highway Safety Account—Federal Appropriation.	\$2,371,000
Motor Vehicle Account—State Appropriation	(\$98,824,000)
	<u>\$101,823,000</u>
Motor Vehicle Account—Private/Local Appropriation	
.....	\$1,336,000
Ignition Interlock Device Revolving Account—State	
Appropriation.....	(\$6,401,000)
	<u>\$6,415,000</u>
Department of Licensing Services Account—State	
Appropriation.....	(\$8,972,000)

	<u>\$9,150,000</u>
License Plate Technology Account—State Appropriation	
.....	(\$4,204,000)
	<u>\$4,398,000</u>
Abandoned Recreational Vehicle Account—State	
Appropriation	\$3,091,000
Limousine Carriers Account—State Appropriation ..	\$126,000
Electric Vehicle Account—State Appropriation	\$443,000
DOL Technology Improvement & Data Management	
Account—State Appropriation.....	(\$944,000)
	<u>\$943,000</u>
Agency Financial Transaction Account—State	
Appropriation	\$16,998,000
Move Ahead WA Flexible Account—State Appropriation	
.....	\$2,096,000
TOTAL APPROPRIATION	(\$430,903,000)
	<u>\$440,163,000</u>

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

(1) \$1,100,000 of the highway safety account—state appropriation and \$1,100,000 of the move ahead WA flexible account—state appropriation are provided solely for the department to provide an interagency transfer to the department of children, youth, and families for the purpose of providing driver's license support. In addition to support services required under RCW 74.13.338(2), support services may include reimbursement of:

- (a) The cost for a youth in foster care of any eligible age to complete a driver training education course, as outlined in chapter 46.82 or 28A.220 RCW;
- (b) The costs incurred by foster youth in foster care for a motor vehicle insurance policy;
- (c) The costs of roadside assistance, motor vehicle insurance deductibles, motor vehicle registration fees, towing services, car maintenance, comprehensive car insurance, and gas cards; and
- (d) Any other costs related to obtaining a driver's license and driving legally and safely.

(2) \$150,000 of the highway safety account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing a mobile application for driver licensing. The department must submit a report of the study findings and any recommendations to the governor and the transportation committees of the legislature by December 1, 2024. The study must:

- (a) Review the adoption actions in other states, including successes and lessons learned;
- (b) Examine existing technical infrastructure and potential changes needed to maximize interoperability, utility, and privacy protection;
- (c) Identify the technical investments and other costs associated with issuing digital drivers' licenses through a mobile application;
- (d) Identify how the technology may impact and can be used by external stakeholders, such as law enforcement;
- (e) Recommend any process changes required to implement the program successfully and ensure customer satisfaction; and
- (f) Recommend any statutory changes required to allow for the usage of digital drivers' licenses, including recognition of interstate travelers.

(3)(a) \$350,000 of the highway safety account—state appropriation is provided solely for the department, in consultation with the Washington traffic safety commission, the department of health, the elder law section of the Washington state bar association, organizations representing older drivers, and driver rehabilitation specialists, to develop a comprehensive plan aimed at improving older driver safety. The department must

submit a report on the comprehensive plan to the governor and the transportation committees of the legislature by December 1, 2024. The plan must include, but is not limited to:

(i) A comprehensive review of department policies surrounding older drivers and medically at-risk drivers, including:

(A) The medical assessment review process; and
(B) The counter assessment process in licensing service offices;

(ii) A feasibility analysis of the department establishing a medical advisory board to advise on general policy for at-risk drivers, driving privileges for individual medically at-risk drivers, and an appeals process for drivers whose privileges are revoked or restricted due to medical conditions;

(iii) A recommended assessment tool to determine a driver's potential risk to themselves or others when operating a motor vehicle so the department may make informed decisions on appropriate courses of action within the older driver program; and

(iv) Detailed information on how each component of the plan improves the safety associated with older drivers, while preserving the maximum level of older driver independence and privacy;

(b) The department may also use funds provided in this subsection to implement improvements to older driver traffic safety within existing authority.

(4) \$5,499,000 of the motor vehicle account—state appropriation is provided solely for the department to upgrade and improve its prorate and fuel tax system, and is subject to the conditions, limitations, and review requirements of section 701 (~~(of this act)~~), chapter 472, Laws of 2023. In each phase of the project, the department must ensure and document the increase in business capabilities and customer service outcomes, the improvements in fuel tax collection related information designed to resolve historical discrepancies in reporting information, and how the implementation plan mitigates risks associated with the proposed timeline and results in the sustainability of systems and platforms for the future. Before initiating the implementation phase of the project, the department must report to the office of the chief information officer on how the project meets its FAST act modernization roadmap, and vendor management and resource plans.

(5) \$16,000 of the motorcycle safety education account—state appropriation, \$2,000 of the limited fish and wildlife account—state appropriation, \$947,000 of the highway safety account—state appropriation, \$308,000 of the motor vehicle account—state appropriation, \$14,000 of the ignition interlock device revolving account—state appropriation, and \$14,000 of the department of licensing services account—state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements in section 701 (~~(of this act)~~), chapter 472, Laws of 2023.

(6) The department shall report on a quarterly basis on licensing service office operations, associated workload, and information with comparative information with recent comparable months in prior years. The report must include detailed statewide and by licensing service office information on staffing levels, average monthly wait times, the number of enhanced drivers' licenses and enhanced identicards issued and renewed, and the number of primary drivers' licenses and identicards issued and renewed. By November 1, 2024, the department must prepare a report with recommendations on the future of licensing service office operations based on the recent implementation of efficiency measures designed to reduce the time for licensing transactions and wait times, and the implementation of statutory and policy changes made during the

pandemic.

(7) For the 2023-2025 fiscal biennium, the department shall charge \$1,336,000 for the administration and collection of a motor vehicle excise tax on behalf of a regional transit authority, as authorized under RCW 82.44.135. The amount in this subsection must be deducted before distributing any revenues to a regional transit authority.

(8) \$742,000 of the motor vehicle account—state appropriation is provided solely for the increased costs associated with improvements desired to resolve delays in the production of license plates, including converting all subagents to the standard ordering process as recommended in the December 2022 plate inventory report, and to provide updated annual reports detailing changes in license plate production, inventory, and other practices taken to guard against plate production delays. The reports must be submitted to the governor and the transportation committees of the legislature by December 1, 2023, and December 1, 2024.

(9) \$243,000 of the highway safety account—state appropriation is provided solely for the department to continue to provide written materials on, place signage in licensing service offices regarding, and include into new driver training curricula, the requirements of RCW 46.61.212, the slow down and move over law.

~~((41))~~ (10) \$3,082,000 of the abandoned recreational vehicle disposal account—state appropriation is provided solely for providing reimbursements in accordance with the department's abandoned recreational vehicle disposal reimbursement program. It is the intent of the legislature that the department prioritize this funding for allowable and approved reimbursements and not to build a reserve of funds within the account. During the 2023-2025 fiscal biennium, the department must report any amounts recovered to the office of financial management and appropriate committees of the legislature on a quarterly basis.

~~((42))~~ (11) \$1,077,000 of the highway safety account—federal appropriation is provided solely for implementation of chapter 35, Laws of 2023 (CDL drug and alcohol clearinghouse) (~~(or chapter . . . (House Bill No. 1448), Laws of 2023 (CDL drug and alcohol clearinghouse))~~). If (~~neither~~) chapter 35, Laws of 2023 (~~(or chapter . . . (House Bill No. 1448), Laws of 2023 are)~~) is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((43))~~ (12) \$116,000 of the highway safety account—state appropriation is provided solely for implementation of (~~chapter . . . (Senate Bill No. 5251), Laws of 2023 (streamlining CDL issuance) or~~) chapter 57, Laws of 2023 (streamlining CDL issuance). If (~~neither chapter . . . (Senate Bill No. 5251), Laws of 2023 or~~) chapter 57, Laws of 2023 (~~(are)~~) is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((44))~~ (13) \$845,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 445, Laws of 2023 (improving young driver safety). If chapter 445, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((45))~~ (14) \$180,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 440, Laws of 2023 (open motor vehicle safety recalls). If chapter 440, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((46))~~ (15) \$497,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 466, Laws of 2023 (updating processes related to voter registration). If chapter 466, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((29))~~ (16) \$29,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 118, Laws of 2023 (driver's abstract changes). If chapter 118,

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Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((21))~~ (17) \$47,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 453, Laws of 2023 (competency evaluations). If chapter 453, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((22))~~ (18) \$23,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 283, Laws of 2023 (illegal racing). If chapter 283, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((23))~~ (19) \$155,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 316, Laws of 2023 (jury diversity). If chapter 316, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((24))~~ (20)(a) \$36,000 of the motor vehicle account—state appropriation is provided solely for the issuance of nonemergency medical transportation vehicle decals to implement the high occupancy vehicle lane access pilot program established in section 217(2) ~~((of this act))~~, chapter 472, Laws of 2023. A for hire nonemergency medical transportation vehicle is a vehicle that is a "for hire vehicle" under RCW 46.04.190 that provides nonemergency medical transportation, including for life-sustaining transportation purposes, to meet the medical transportation needs of individuals traveling to medical practices and clinics, cancer centers, dialysis facilities, hospitals, and other care providers.

(b) As part of this pilot program, the owner of a for hire nonemergency medical transportation vehicle may apply to the department, county auditor or other agent, or subagent appointed by the director, for a high occupancy vehicle exempt decal for a for hire nonemergency medical transportation vehicle. The high occupancy vehicle exempt decal allows the for hire nonemergency medical transportation vehicle to use a high occupancy vehicle lane as specified in RCW 46.61.165 and 47.52.025 during the 2023-2025 fiscal biennium.

(c) For the exemption in this subsection to apply to a for hire nonemergency medical transportation vehicle, the decal:

(i) Must be displayed on the vehicle so that it is clearly visible from outside the vehicle;

(ii) Must identify that the vehicle is exempt from the high occupancy vehicle requirements; and

(iii) Must be visible from the rear of the vehicle.

(d) The owner of a for hire nonemergency medical transportation vehicle or the owner's representative must apply for a high occupancy vehicle exempt decal on a form provided or approved by the department. The application must include:

(i) The name and address of the person who is the owner of the vehicle;

(ii) A full description of the vehicle, including its make, model, year, and the vehicle identification number;

(iii) The purpose for which the vehicle is principally used;

(iv) An attestation signed by the vehicle's owner or the owner's representative that the vehicle's owner has a minimum of one contract or service agreement to provide for hire transportation services for medical purposes with one or more of the following entities: A health insurance company; a hospital, clinic, dialysis center, or other medical institution; a day care center, retirement home, or group home; a federal, state, or local agency or jurisdiction; or a broker who negotiates these services on behalf of one or more of these entities; and

(v) Other information as required by the department upon application.

(e) The department, county auditor or other agent, or subagent appointed by the director shall collect the fee required under (f) of this subsection when issuing or renewing a high occupancy vehicle exempt decal.

(f) The department, county auditor or other agent, or subagent must collect a \$5 fee when issuing or renewing a decal under this subsection, in addition to any other fees and taxes required by law.

(g) A high occupancy vehicle exempt decal expires June 30, 2025, and must be marked to indicate its expiration date. The decal may be renewed if the pilot program is continued past the date of a decal's expiration. The status as an exempt vehicle continues until the high occupancy vehicle exempt decal is suspended or revoked for misuse, the vehicle is no longer used as a for hire nonemergency medical transportation vehicle, or the pilot program established in section 217(2) ~~((of this act))~~, chapter 472, Laws of 2023 is terminated.

(h) The department may adopt rules to implement this subsection.

~~((25))~~ (21)(a) \$265,000 of the highway safety account—state appropriation is provided solely for the department to provide an interagency transfer to the Washington center for deaf and hard of hearing youth, in consultation with the department and the office of the superintendent of public instruction, to fund the cost of interpreters for driver training education for deaf and hard of hearing youth to enable them to access driver training education at the same cost as their peers, and to pilot a sustainable driver training education program to determine how best to meet the driver training education needs of deaf and hard of hearing youth in the state in the future. The pilot must include:

(i) Determination of an appropriate number of instructors and an appropriate method of certification for instructors who are fluent in American Sign Language (ASL);

(ii) Determination of how best to provide driver training education statewide to deaf and hard of hearing novice drivers;

(iii) Development of a program to offer the required curriculum under RCW 28A.220.035 to deaf and hard of hearing novice drivers; and

(iv) Capped course instruction costs for deaf and hard of hearing students at the average rate of their hearing peers.

(b) The department shall submit a report to the transportation committees of the legislature developed by the Washington center for deaf and hard of hearing youth by March 1, 2024, that provides recommendations for a permanent program to make driver education equitably accessible for deaf and hard of hearing students.

~~((26))~~ (22) \$350,000 of the highway safety account—state appropriation is provided solely for the department to improve the process for commercial driver's license (CDL) holders to submit medical certification documents and update self-certification status to the department. The department shall:

(a) Update license express to improve the process and make it more user friendly;

(b) Add options for the driver to renew or replace the driver's CDL credentials as part of the medical or self-certification process;

(c) Add a customer verification step confirming the requested changes and clearly stating how this change will impact the driver's CDL; and

(d) Add improved messaging throughout the process.

In addition, the department shall make available on the driving record abstract a complete medical certificate downgrade history, and provide a one-time mailing to all current CDL holders explaining the process to update their medical certificate documents and self-certification.

~~((27))~~ (23) \$1,962,000 of the highway safety account—state

appropriation is provided solely for the establishment of a pilot mobile licensing unit to provide licensing and identicard services. By December 1, 2024, the department must submit a report to the governor and the transportation committees of the legislature detailing the locations served, the number and type of documents issued, and other outcome measures associated with the mobile licensing unit. The report must include consideration of the facility needs of licensing service offices in the context of flexible mobile licensing services.

~~((28) \$2,000,000)~~ (24) \$2,750,000 of the highway safety account—state appropriation is provided solely for organizations providing driver's license assistance and support services. Of this amount:

(a) \$2,000,000 of the highway safety account—state appropriation is provided solely for driver's license assistance and support services in King county with an existing provider that is already providing these services to low-income immigrant and refugee women; and

(b) \$750,000 of the highway safety account—state appropriation is provided solely for additional contracts in fiscal year 2025 with organizations providing driver's license assistance and other related support services in other parts of the state.

(c) By December 1st of each year, the department must submit information on the contracted (~~(provider)~~) providers, including: The annual budget of the contracted (~~(provider)~~) providers in the preceding year; information regarding private and other governmental support for the activities of the (~~(provider)~~) providers; and a description of the number of people served, services delivered, and outcome measures. In developing its 2025-2027 biennial budget submittal, the department, after consulting with the existing organization in King county and organizations receiving funds with the fiscal year 2025 expansion, must develop a statewide delivery plan that maximizes the number of people served, promotes efficiency in service delivery, and recognizes different models based on needs in particular areas of the state.

~~((30))~~ (25) \$8,000 of the motorcycle safety education account—state appropriation is provided solely for the implementation of chapter 137, Laws of 2023 (motorcycle safety board). If chapter 137, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((32))~~ (26) \$29,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 431, Laws of 2023 (transportation resources). If chapter 431, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

~~((34))~~ (27) \$282,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter 471, Laws of 2023 (negligent driving). If chapter 471, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(28) \$4,464,000 of the highway safety account—state appropriation is provided solely for costs associated with relocating licensing service offices during the 2023-2025 fiscal biennium. This includes \$2,790,000 provided for relocations in the 2023-2025 omnibus transportation appropriations act. By June 30th of each year, the department must submit a status report on licensing service offices planned for relocation during the 2023-2025 fiscal biennium.

(29) \$1,395,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Engrossed House Bill No. 1964), Laws of 2024 (enhancing prorate and fuel tax collections). If chapter . . . (Engrossed House Bill No. 1964), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(30) \$100,000 of the highway safety account—state

appropriation is provided solely for implementation of chapter . . . (Senate Bill No. 5800), Laws of 2024 (improving access to department of licensing issued documents). If chapter . . . (Senate Bill No. 5800), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(31) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing a process for the electronic submittal of title and registration documents for motor vehicles, within the current vehicle licensing model. The department must submit a report of the study findings and any recommendations to the governor and the transportation committees of the legislature by September 1, 2025. The study must: (a) Review the current processes in Washington and other states, including how such processes addressed fraud prevention and document security; (b) examine existing technical infrastructure and potential changes needed to allow for completion and submittal of lien and titling documents by financial institutions and vehicle dealers to subagents, county auditors, and the department of licensing, while maximizing interoperability, utility, data security, and customer privacy; (c) identify the technical investments and other costs associated with the submission of electronic documents by financial institutions and vehicle dealers to subagents, county auditors, and the department of licensing; (d) recommend any statutory changes required to allow for the submission of electronic documentation to subagents, county auditors, and the department of licensing; and (e) examine the impact of these technology changes on external stakeholders including, but not limited to, subagents, county auditors, financial institutions, vehicle dealers, and insurance companies.

(32) \$6,000 of the motorcycle safety education account—state appropriation, \$1,000 of the limited fish and wildlife account—state appropriation, \$406,000 of the highway safety account—state appropriation, \$137,000 of the motor vehicle account—state appropriation, \$5,000 of the ignition interlock device revolving account—state appropriation, and \$6,000 of the department of licensing services account—state appropriation are provided solely for the department of licensing for additional finance and budget staff. By December 1, 2024, the department shall submit a report to the governor and appropriate committees of the legislature on the specific steps the department has taken to address the findings of the State Auditor's Office FY2022 Accountability Audit Report No. 1032793.

(33) \$225,000 of the highway safety account—state appropriation is provided solely for the department, for incorporation into its comprehensive implementation plan required under chapter 445, Laws of 2023 (improving young driver safety), to expand driver training education requirements for driver's license purposes to persons age 18 through 24 to include: (a) An assessment of opportunities to close availability and accessibility gaps in rural and underserved areas, as specified in section 612 of this act; and (b) an analysis of the potential inclusion of a mandatory driver's education refresher course requirement consisting of in-person or virtual classroom-based instruction on risk management and hazard protections one year after licensure, as specified in section 612 of this act.

(34) \$38,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Substitute Senate Bill No. 6115), Laws of 2024 (speed safety cameras). If chapter . . . (Substitute Senate Bill No. 6115), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(35) \$34,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Second Substitute House Bill No. 2014), Laws of 2024 (definition of

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veteran). If chapter . . . (Second Substitute House Bill No. 2014), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(36) \$159,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 1493), Laws of 2024 (impaired driving). If chapter . . . (Engrossed Substitute House Bill No. 1493), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(37) \$300,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Second Substitute House Bill No. 2099), Laws of 2024 (state custody/ID cards). If chapter . . . (Engrossed Second Substitute House Bill No. 2099), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

(38) \$50,000 of the motor vehicle account—state appropriation is provided solely for the department to conduct a study on the feasibility of implementing and administering a per mile fee program. The study must identify the staffing and resources needed to implement and administer the program, including possible technical investments, leveraging existing technology platforms. A preliminary report of the study findings relating to internal costs to administer the program is due to the governor and transportation committees of the legislature by December 31, 2024. The legislature intends to require a final report that includes potential third-party costs and options to the governor and the transportation committees of the legislature by December 31, 2025.

(39) \$2,100,000 of the highway safety account—state appropriation is provided solely for the department to increase public awareness of REAL ID. Of the amounts appropriated in this subsection, \$1,000,000 is for the department to directly contract with a communications group with experience spreading awareness about REAL ID to community-based organizations and ethnic media outlets.

Sec. 209. 2023 c 472 s 209 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TOLL OPERATIONS AND MAINTENANCE—PROGRAM B

State Route Number 520 Corridor Account—State Appropriation.....	(\$58,854,000)
	\$67,199,000
State Route Number 520 Civil Penalties Account—State Appropriation.....	\$4,178,000
Tacoma Narrows Toll Bridge Account—State Appropriation.....	(\$30,729,000)
	\$34,398,000
Alaskan Way Viaduct Replacement Project Account—State Appropriation.....	(\$20,701,000)
	\$22,541,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	(\$23,756,000)
	\$25,523,000
TOTAL APPROPRIATION.....	(\$138,218,000)
	\$153,839,000

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

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and ~~(\$12,484,000)~~ \$12,820,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this

subsection, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) As long as the facility is tolled, the department must provide annual reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips; and

(b) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(3) ~~(\$314,000)~~ \$535,000 of the Interstate 405 and state route number 167 express toll lanes account—state appropriation, ~~(\$734,000)~~ \$1,245,000 of the state route number 520 corridor account—state appropriation, ~~(\$315,000)~~ \$535,000 of the Tacoma Narrows toll bridge account—state appropriation, and ~~(\$413,000)~~ \$702,000 of the Alaskan Way viaduct replacement project account—state appropriation are provided solely for the reappropriation of unspent funds on the new tolling back office system from the 2021-2023 fiscal biennium.

(4) The department shall make detailed annual reports to the transportation committees of the legislature and the public on the department's website in a manner consistent with past practices as specified in section 209(5), chapter 186, Laws of 2022.

(5) As part of the department's 2025-2027 biennial budget request, the department shall update the cost allocation recommendations that assign appropriate costs to each of the toll funds for services provided by relevant Washington state department of transportation programs, the Washington state patrol, and the transportation commission. The recommendations shall be based on updated traffic and toll transaction patterns and other relevant factors.

(6) Up to ~~(\$16,460,000)~~ \$16,648,000 of the amounts provided for operations and maintenance expenses on the state route number 520 facility from the state route number 520 corridor account during the 2023-2025 fiscal biennium in this act are derived from the receipt of federal American rescue plan act of 2021 funds and not toll revenues.

(7) \$500,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to begin a traffic and revenue study of tolling on the state route number 520 corridor. The department, in consultation with the transportation commission, shall initiate planning work regarding updated tolling on the state route number 520 corridor.

(8) \$19,248,000 of the state route number 520 corridor account—state appropriation is provided solely for the costs of insurance for the state route number 520 floating bridge.

(9) \$75,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to (a) conduct an actuarial analysis of the short and long-term costs and benefits, including risk mitigation of self-insurance as compared to the commercial insurance option for the state route number 520 floating bridge, as allowed under the terms of the state route

number 520 master bond resolution, and (b) develop a plan to implement a self-insurance program for the state route number 520 floating bridge. By December 15, 2024, the department shall report to the governor and the transportation committees of the legislature on the results of the actuarial analysis and the self-insurance program. It is the intent of the legislature to implement a self-insurance program for the state route number 520 floating bridge by July 1, 2025.

Sec. 210. 2023 c 472 s 210 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
INFORMATION TECHNOLOGY—PROGRAM C**

Transportation Partnership Account—State			
Appropriation.....			\$1,494,000
Motor	Vehicle	Account—State	Appropriation
			.....(((\$122,240,000))
			\$122,732,000
Puget Sound Ferry Operations Account—State			
Appropriation.....			\$307,000
Multimodal Transportation Account—State			
Appropriation.....			(((\$2,986,000))
			\$2,988,000
Transportation 2003 Account (Nickel Account)—State			
Appropriation.....			\$1,488,000
TOTAL APPROPRIATION.....			(((\$128,515,000))
			\$129,009,000

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

((4)) \$2,006,000 of the motor vehicle account—state appropriation is provided solely for hardware cost increases. Before any hardware replacement, the department, in consultation with WaTech, must further review leasing options.

~~((2) The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.)~~

Sec. 211. 2023 c 472 s 211 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
FACILITY MAINTENANCE, OPERATIONS, AND
CONSTRUCTION—PROGRAM D—OPERATING**

Motor Vehicle Account—State Appropriation (((\$39,987,000))	
\$40,362,000	
Move Ahead WA Account—State Appropriation ..	\$2,532,000
State Route Number 520 Corridor Account—State	
Appropriation.....	\$34,000
TOTAL APPROPRIATION.....	(((\$42,553,000))
	\$42,928,000

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

((2)(a)(i)) (1) \$500,000 of the move ahead WA account—state appropriation is provided solely for the department to conduct a detailed space study and develop an implementation plan that builds off the findings and recommendations of the department's "Telework Impact Study" completed in September 2022. Such efforts must also incorporate office space use reduction requirements for the department in this act as well as current and planned telework levels. The detailed space study and development of the implementation plan must be conducted in consultation with the office of financial management and the department of enterprise services, and must focus on office and administrative space efficiency, providing specific recommendations, cost estimates, and cost savings. While focused on office and administrative space, the department is encouraged to review other types of facilities where efficiencies

can be achieved. The final study report must include:

((A)) (a) The development of low, medium, and high scenarios based on reducing space use, with the high space reduction scenario being based on a minimum of a 30 percent reduction by 2030;

((B)) (b) Detailed information on any increased capital and other implementation costs under each scenario;

((C)) (c) Detailed information on reduced costs, such as leases, facility maintenance, and utilities, under each scenario;

((D)) (d) An analysis of opportunities to collocate with other state, local, and other public agencies to reduce costs and improve cost-efficiency while meeting utilization standards; and

((E)) (e) An assessment of the commercial value and return to the state transportation funds associated with the sale of the property from consolidation and other space efficiency measures.

((ii)) (2)(a) The department must submit the implementation plan and final report from the detailed space study to the office of financial management and the transportation committees of the legislature by October 1, 2024.

b)((ii)) Conducting the detailed space study under ((a)) subsection (1) of this ((subsection)) section must not prevent or delay the department from meeting other space use and related requirements, or where warranted by current information or opportunities.

((iii)) (c) In addition to the reporting requirement under ((a)) subsection (1) of this ((subsection)) section, the department must provide information to the office of financial management in its comparative analysis of office space, leases, and relocation costs required by the omnibus operating appropriations act.

Sec. 212. 2023 c 472 s 212 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION EQUIPMENT FUND—PROGRAM E**

Motor Vehicle Account—State Appropriation.....	\$700,000
Move Ahead WA Account—State Appropriation.....	\$20,000,000
Multimodal Transportation Account—State	
Appropriation	\$433,000
TOTAL APPROPRIATION	(((\$20,433,000))
	\$21,133,000

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

(1) The entire move ahead WA account—state appropriation is provided solely for the department's costs related to replacing obsolete transportation equipment and replacing fuel sites. Beginning December 1, 2024, and annually thereafter, the department must provide a report to the office of financial management and the transportation committees of the legislature detailing the current progress on replacing obsolete equipment, progress towards reaching a level purchasing state, and the status of a fuel site replacement prioritization plan. The report must also include:

(a) A list of department owned and managed fuel sites prioritized by urgency of replacement;

(b) A discussion of department practices that would create a sustained revenue source for capital repair and replacement of fuel sites; and

(c) A discussion of to what extent the fuel site infrastructure can support zero emissions vehicles.

(2)(a) \$100,000 of the multimodal transportation account—state appropriation is provided solely for the department to administer a pilot program to install and test intelligent speed monitoring technology in a portion of the department's fleet of vehicles while using global positioning system technology and other mapping tools to monitor vehicle location and corresponding speed limits on traveled roadways.

(b) The pilot program must begin by January 1, 2024, for a 12-

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month period. By June 30, 2025, the department must report to the transportation committees of the legislature the results of the pilot program and provide any legislative or policy recommendations.

Sec. 213. 2023 c 472 s 213 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—AVIATION—PROGRAM F

Aeronautics Account—State Appropriation	(\$13,979,000)
	\$17,448,000
Aeronautics Account—Federal Appropriation ..	(\$3,650,000)
	\$5,579,000
Aeronautics Account—Private/Local Appropriation...	\$60,000
TOTAL APPROPRIATION.....	(\$17,689,000)
	\$23,087,000

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

(1) \$2,000,000 of the aeronautics account—state appropriation is provided solely for the move ahead WA aviation grants. The department shall prioritize projects eligible for federal funding.

(2) \$1,476,000 of the aeronautics account—state appropriation is provided solely for sustainable aviation grants recommended by the department under the sustainable aviation grants program. The department shall submit a report to the transportation committees of the legislature by October 1, 2024, identifying a selection of sustainable aviation projects for funding by the legislature. In considering projects to recommend to fund, the department shall only consider projects that advance the state of sustainable aviation technology and lead to future innovation. Innovative sustainable aviation projects may include, but are not limited to, pilot projects demonstrating the use of:

- (a) Mobile battery charging technology;
- (b) Hydrogen electrolyzers and storage;
- (c) Electric ground equipment; and
- (d) Hanger charging technology.

(3) \$300,000 of the aeronautics account—state appropriation is provided solely for the department to develop a statewide advanced air mobility aircraft plan to develop and integrate advanced air mobility aircraft into current modal systems. The department shall submit a report by June 1, 2025, to the office of financial management and the transportation committees of the legislature including, but not limited to:

(a) Near, medium, and long-term recommendations for land use planning for advanced and urban air mobility vertiports and vertistops;

(b) An inventory of infrastructure needs to support a statewide vertiport network and a recommended program to deploy funds to local governments to share costs;

(c) Proposed state governance structures and regulatory mechanisms to adequately complement federal aviation administration oversight;

(d) Recommended policies to foster vertiport and vertistop infrastructure development that ensure open public access, efficiency in land use siting, and equitable distribution across the state; and

(e) In consultation with local jurisdictions, planning organizations, and other modal managers, recommendations on advanced air mobility aircraft integration into statewide transportation plans.

(4) \$1,931,000 of the aeronautics account—state appropriation is provided solely for the implementation of chapter 463, Laws of 2023 (commercial aviation services). ~~((If chapter 463, Laws of 2023 is not enacted by June 30, 2023, the amount in this subsection lapses.))~~ Funding is provided for the activities of the work group and for support of the work group by the department.

The activities of the work group include the issuance of the initial progress report, required in section 4, chapter 463, Laws of 2023, which requires the listing of areas that will not have further review as the areas are in conflict with the operations of a military installation. The report must also identify unsuitable geographies due to either environmental impacts or impacts to overburdened communities. Additionally, within the funding provided, the work group must:

(a) Work to understand what studies currently exist on state transportation needs and capacities and identify any gaps of information; and

(b) Conduct meaningful community engagement with overburdened and vulnerable populations with a focus on the environmental justice impact of aviation on communities.

(5) \$300,000 of the aeronautics account—state appropriation is provided solely for the Port of Bremerton to conduct a study on the feasibility of offering commercial service at the Port of Bremerton airport. Pursuant to RCW 47.68.090(2)(c), the department may not require a match for this project.

(6) \$2,575,000 of the aeronautics account—state appropriation is provided solely for the Pullman-Moscow regional airport. Pursuant to RCW 47.68.090(2)(c), the department may not require a match for this project.

Sec. 214. 2023 c 472 s 214 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PROGRAM DELIVERY MANAGEMENT AND SUPPORT—PROGRAM H

Motor Vehicle Account—State Appropriation ((	\$64,470,000))
	\$65,161,000
Motor Vehicle Account—Federal Appropriation.....	\$500,000
Multimodal Transportation Account—State	
Appropriation	(\$851,000)
	\$1,351,000
Move Ahead WA Flexible Account—State Appropriation	
.....	\$572,000
TOTAL APPROPRIATION	(\$66,393,000)
	\$67,584,000

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

(1) During the 2023-2025 fiscal biennium, if the department takes possession of the property situated in the city of Edmonds for which a purchase agreement was executed between Unocal and the department in 2005 (Tax Parcel Number 262703-2-003-0009), and if the department confirms that the property is still no longer needed for transportation purposes, the department shall provide the city of Edmonds with the first right of purchase at fair market value in accordance with RCW 47.12.063(3) for the city's intended use of the property to rehabilitate near-shore habitat for salmon and related species.

(2) \$469,000 of the motor vehicle account—state appropriation is reappropriated and provided solely for the implementation of chapter 217, Laws of 2021 (noxious weeds).

(3) The department shall determine the fair market value of the northern parcel of site 14 on the Puget Sound Gateway Program SR 509 Completion Project Surplus Property list, located immediately south of S. 216th Street and adjacent to the Barnes Creek Nature Trail in Des Moines, to be submitted to the transportation committees of the legislature by December 15, 2023, for an evaluation of possible next steps for use of the property that is in the public interest.

(4) ~~((The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations~~

~~act to restore funding as authorized staffing levels are achieved.~~

~~(5)(a) \$572,000 of the move ahead WA flexible account—state appropriation is provided solely to track and maximize clean fuels credits and revenue generated by state agencies pursuant to chapter 70A.535 RCW.~~

~~(b) The LEAP Transportation Document ((2023-2)) 2024-2 ALL PROJECTS as developed ((April 21, 2023)) March 6, 2024, anticipates fulfillment of the requirements under chapter 70A.535 RCW of generating credits and revenue for transportation investments funded in an omnibus transportation appropriations act, including the move ahead WA transportation package. The omnibus transportation appropriations act anticipates credits for ferry electrification for new hybrid electric vessels, active transportation, transit programs and projects, alternative fuel infrastructure, connecting communities, and multimodal investments.~~

~~(c) Pursuant to the reporting requirements of RCW 70A.535.050(5), the department must present a detailed projection of the credit revenues generated and achieved directly as a result of the funding and activities in this subsection.~~

~~((6)) (5) \$93,000 of the multimodal transportation account—state appropriation is provided solely for the implementation of chapter 169, Laws of 2023 (climate resilience strategy). ((# chapter 169, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.))~~

~~(6)(a) \$1,600,000 of the motor vehicle account—state appropriation is provided solely for real estate services activities. The legislature finds that the following sections of public roadway owned by the department are no longer necessary for the state highway system:~~

~~(i) That segment of 267th Street NW located south of state route number 532 and west of Interstate 5 in the vicinity of the intersection of state route number 532 and 19th Avenue NW, serving parcel numbers: 32042600202300, 32042600102200, 32042600100600, 32042600100700, 32042600100400, 32042600100800, 32042600102700, 32042600101000, and 32042600102300;~~

~~(ii) That segment of Tester Road located adjacent to the south side of state route number 522;~~

~~(iii) That segment of Bostian Road including as it turns and becomes 224th Street SE located on the south side of state route number 522 in the vicinity of 87th Ave SE; and~~

~~(iv) That segment of W. Bostian Road located on the north side of state route number 522.~~

~~(b) Therefore, pursuant to RCW 36.75.090, the department shall certify that these roadways are no longer needed by the state and convey the roadways to the county for continued use as public highways for motor vehicle use. Additionally, in consideration of the value of maintenance services provided by the county on the roadway comprising 267th Street NW during the time of department ownership, the department shall grant temporary access permits, for those properties abutting the conveyed segment of 267th Street NW, to use 19th Avenue NW for access to state route number 532, upon the payment of \$5,000 for each new parcel taking access from 19th Ave to state route number 532 and a traffic impact analysis showing no significant safety impacts to state route number 532. The temporary access permits may be terminated when the conveyed segment of 267th Street NW is extended out to intersect with Sunday Lake Road, or when an alternate access route is established connecting to Sunday Lake Road.~~

~~(7)(a) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the department to explore alternative uses of the state's highway rights-of-way to address pressing public needs relating to climate change, equitable communications, renewable energy generation,~~

electrical transmission and distribution projects, broadband projects, vegetation management, inductive charging in travel lanes, alternative fueling facilities, and other appropriate uses. In exploring alternative uses of the state's highway rights-of-way, the department shall:

(i) Review the utility accommodation policy and make recommendations to update the policy to include clean energy and connectivity projects under 23 C.F.R. Part 645. At a minimum, the recommendations for updated clean energy and connectivity projects must include renewable energy and electrical transmission and distribution;

(ii) Review and update the department's integrated roadside vegetation management plans to maximize carbon sequestration and develop habitat and forage for native pollinators, Monarch butterflies, and honeybees through plantings of native noninvasive flowering plants and grasses on the state highways rights-of-way and at safety rest areas;

(iii) Assess the state highways rights-of-way land areas most suitable for solar development by considering slope, elevation, vegetative cover, and solar radiation; and

(iv) Identify existing highway rights-of-way suitable as designated energy corridors for electric transmission and distribution and other energy infrastructure.

(b) In carrying out the requirements in (a) of this subsection, the department may consult with an organization that uses an advanced rights-of-way solar mapping tool that uses ArcGIS Pro software for faster and more precise analysis of rights-of-way solar using the state's full spatial rights-of-way data sets.

(c) The department must report its findings, recommendations, and status of its updates to the transportation committees of the legislature by January 15, 2025.

(8) To assist the department as it continues to make progress on meeting the requirements of the federal U.S. v. Washington court injunction and to address estimated programmatic cost increases, within the funding provided in this section, the department shall analyze contracting methods, alternative bundling concepts, and other options to manage costs. The department shall provide a report outlining recommendations to the governor and transportation committees of the legislature by December 15, 2024.

Sec. 215. 2023 c 472 s 215 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—PUBLIC-PRIVATE PARTNERSHIPS—PROGRAM K

Motor Vehicle Account—State Appropriation.....	(\$694,000)
	\$703,000
Electric Vehicle Account—State Appropriation	\$4,746,000
Multimodal Transportation Account—State	
Appropriation	\$4,400,000
Multimodal Transportation Account—Federal	
Appropriation	\$25,000,000
Carbon Emissions Reduction Account—State	
Appropriation	(\$164,600,000)
	\$195,025,000
TOTAL APPROPRIATION	(\$199,440,000)
	\$229,874,000

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

(1) \$3,746,000 of the electric vehicle account—state appropriation ~~((and)),~~ \$30,000,000 of the carbon emissions reduction ~~((emissions))~~ account—state appropriation, and beginning January 1, 2025, \$15,000,000 of the carbon emissions reduction account—state appropriation are provided solely for the clean alternative fuel vehicle charging and refueling infrastructure program in chapter 287, Laws of 2019 (advancing green transportation adoption).

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(2) \$1,000,000 of the electric vehicle account—state appropriation and \$500,000 of the multimodal transportation account—state appropriation are provided solely for a colocated DC fast charging and hydrogen fueling station near the Wenatchee or East Wenatchee area near a state route or near or on a publicly owned facility to service passenger, light-duty and heavy-duty vehicles. The hydrogen fueling station must include a DC fast charging station colocated at the hydrogen fueling station site. Funds may be used for one or more fuel cell electric vehicles that would utilize the fueling stations. The department must contract with a public utility district that produces hydrogen in the area to own and/or manage and provide technical assistance for the design, planning, permitting, construction, maintenance and operation of the hydrogen fueling station. The department and public utility district are encouraged to collaborate with and seek contributions from additional public and private partners for the fueling station.

~~((5))~~ (3) The public-private partnerships program must continue to explore retail partnerships at state-owned park and ride facilities, as authorized in RCW 47.04.295.

~~((6))~~ (4) \$1,200,000 of the multimodal transportation account—state appropriation ~~(and)~~ \$2,000,000 of the carbon emissions reduction ~~(emissions)~~ account—state appropriation, and beginning January 1, 2025, \$3,400,000 of the carbon emissions reduction account—state appropriation, are provided solely for the pilot program established under chapter 287, Laws of 2019 (advancing green transportation adoption) to provide clean alternative fuel vehicle use opportunities to underserved communities and low to moderate income members of the workforce not readily served by transit or located in transportation corridors with emissions that exceed federal or state emissions standards. Consistent with the geographical diversity element described in RCW 47.04.355(4), the legislature strongly encourages the department to consider implementing the pilot in both urban and rural communities if possible, to obtain valuable information on the needs of underserved communities located in different geographical locations in Washington.

~~((7))~~ (5) \$120,000,000 of the carbon emissions reduction account—state appropriation ~~(is)~~, and beginning January 1, 2025, \$10,000,000 of the carbon emissions reduction account—state appropriation, are provided solely for implementation of zero-emission ~~(commercial vehicle)~~ medium and heavy-duty vehicle and equipment infrastructure and incentive programs and for the replacement of school buses powered by fossil fuels with zero-emission school buses, including the purchase and installation of zero-emission school bus refueling infrastructure.

(a) Of this amount, \$20,000,000 is for the department to administer an early action grant program to provide expedited funding ~~((to zero-emission commercial vehicle infrastructure demonstration projects))~~ for the replacement of school buses powered by fossil fuels with zero-emission school buses, including the purchase and installation of zero-emission school bus refueling infrastructure. The department must contract with ~~((a third party administrator))~~ the department of ecology to implement the early action grant program.

(b) ~~((The office of financial management shall place the remaining \$100,000,000 in unallotted status until the joint transportation committee completes the medium and heavy-duty vehicle infrastructure and incentive strategy required under section 204 of this act. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.))~~ (i) The remaining \$110,000,000, inclusive of costs for program administration and staffing, is for a point-of-sale voucher

incentive program to encourage the faster adoption of zero-emission medium and heavy-duty vehicles to further state climate goals under RCW 70A.45.020 and state equity goals under chapter 70A.02 RCW. The voucher incentive program must be administered by a third-party administrator that has experience administering voucher incentive programs, with oversight conducted by the department.

(ii) The voucher program is required to be designed based on the recommendations of the Joint Transportation Committee report *Washington State Infrastructure and Incentive Program Design for MHD ZEVs*, and to include:

(A) Simplified zero-emission vehicle eligibility requirements;

(B) Vehicle and infrastructure incentives aligned with programs in other jurisdictions, where appropriate, to streamline user planning;

(C) Financial enhancements for select populations based on equity considerations, including for vehicles in disadvantaged communities and vehicles to be purchased by small, minority-owned businesses, with consideration for support of the secondary vehicle market;

(D) A centralized user and manufacturer portal for information, application, and assistance;

(E) A fleet assistance and qualification program to assist in zero-emission vehicle and infrastructure planning, to be administered by the Washington State University extension energy program in coordination with the department and the voucher program's third-party administrator; and

(F) A voucher preapproval process to evaluate participant eligibility, readiness for fleet deployment, and infrastructure preparedness.

(iii) The following battery electric and hydrogen fuel cell electric vehicle categories and associated charging, as well as refueling infrastructure for these categories, are eligible for the voucher program, subject to additional qualification criteria to be determined by the department and the voucher program third-party administrator:

(A) On-road vehicles from class 2b, heavy work pickups and vans, through class 8, heavy tractor-trailer units and refuse trucks; and

(B) Cargo handling and off-road equipment.

(iv) School buses and transit vehicles eligible for state grant programs for the purchase of zero-emission vehicles are not eligible for vouchers under this program, but are eligible for fleet assistance provided in association with the voucher program, which must include assistance in determining state and federal grant eligibility for these vehicles.

(v) The voucher amounts selected by the department and voucher program third-party administrator must further the policy goals of the program cited in (b)(i) of this subsection by offsetting investments required for medium and heavy-duty vehicle and equipment owners to transition to zero-emission vehicles and equipment. The department and voucher program third-party administrator must condition vehicle and infrastructure voucher funding to ensure these program policy goals are furthered through the voucher funding provided.

(vi) Consistent with voucher program design, the department is required to distribute funds to the voucher program third-party administrator sufficiently in advance of final requirements for voucher distribution being met to facilitate the voucher's timely distribution by the third-party administrator to sellers of zero-emission vehicles and infrastructure.

~~((8))~~ \$3,000,000 of the carbon emissions reduction account—state appropriation is provided solely for hydrogen refueling infrastructure investments. ~~The office of financial management shall place the amounts provided in this subsection in unallotted~~

~~status until the joint transportation committee completes the medium and heavy duty vehicle infrastructure and incentive strategy required under section 204 of this act. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.~~

~~(9)) (6) \$2,100,000 of the carbon emissions reduction account—state appropriation is provided solely to fund electric vehicle charging infrastructure for the electric charging megasite project at Mount Vernon library commons.~~

~~((10) \$2,500,000 of the carbon emissions reduction account—state appropriation is provided solely for zero emission cargo handling equipment incentives. The office of financial management shall place the amounts provided in this subsection in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle and cargo handling and off road equipment infrastructure and incentive strategy required under section 204 of this act. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.~~

~~(11) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for clean off road equipment incentives. The office of financial management shall place the amounts provided in this subsection in unallotted status until the joint transportation committee completes the medium and heavy duty vehicle and cargo handling and off road equipment infrastructure and incentive strategy required under section 204 of this act. The director of the office of financial management or the director's designee shall consult with the chairs and ranking members of the transportation committees of the legislature prior to making a decision to allot these funds.~~

~~(12)) (7) \$2,500,000 of the multimodal transportation account—state appropriation is provided solely for the department to coordinate with cities, counties, ports, and private entities to develop actionable recommendations for state assistance in the development of specific candidate truck parking sites to be developed with amenities, identified by location. The department shall identify private land parcels for potential development of sites, which may include, but should not be limited to, a feasibility analysis of sites adjacent to Interstate 90 near North Bend for a 400 to 600 space truck parking site. The public benefit of each potential truck parking site must be included in this assessment. The department shall consider opportunities for the state to provide assistance in the development of truck parking sites, including possible opportunities to provide assistance in land acquisition and evaluating land use requirements. The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and to provide a final report to the transportation committees of the legislature by December 1, 2024.~~

(8) Beginning January 1, 2025, \$10,000,000 of the carbon emissions reduction account—state appropriation is provided solely for grants, and to serve as a state match for secured federal funds, to finance hydrogen refueling infrastructure for medium and heavy-duty vehicles with a focus on locations in disadvantaged and overburdened communities, where possible. The department, in consultation with the interagency electric vehicle coordinating council, should pursue any federal funding available through the charging and fueling infrastructure discretionary grant program and any other sources under the federal infrastructure investment and jobs act (P.L. 29 117-58).

(9) Beginning January 1, 2025, \$800,000 of the carbon

emissions reduction account—state appropriation is provided solely for the cities of Bellevue and Redmond to each purchase an electric fire engine.

(10) Beginning January 1, 2025, \$1,725,000 of the carbon emissions reduction account—state appropriation is provided solely for a Tacoma Public Utilities medium-duty zero-emission utility service vehicle pilot project that includes charging infrastructure and mobile battery units.

Sec. 216. 2023 c 472 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M

Motor Vehicle Account—State	Appropriation	
.....	(((\$35,033,000))	
		<u>\$545,500,000</u>
Motor Vehicle Account—Federal Appropriation...		\$7,000,000
Move Ahead WA Account—State Appropriation.		\$50,000,000
<u>RV Account—State Appropriation</u>		<u>\$1,100,000</u>
State Route Number 520 Corridor Account—State		
Appropriation	(((\$4,838,000))	
		<u>\$4,841,000</u>
Tacoma Narrows Toll Bridge Account—State		
Appropriation		\$1,585,000
Alaskan Way Viaduct Replacement Project Account—		
State Appropriation		\$8,752,000
Interstate 405 and State Route Number 167 Express		
Toll Lanes Account—State Appropriation.....		\$2,624,000
TOTAL APPROPRIATION	(((\$609,832,000))	
		<u>\$621,402,000</u>

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

(1) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for a contingency pool for snow and ice removal. The department must notify the office of financial management and the transportation committees of the legislature when they have spent the base budget for snow and ice removal and will begin using the contingency pool funding.

(2)(a) \$115,000 of the state route number 520 corridor account—state appropriation is provided solely for the department to enter into a dispute resolution process with local jurisdictions to produce interagency agreements to address the ongoing facility and landscape maintenance of the three state route number 520 eastside lids and surrounding areas at the Evergreen Point Road, 84th Avenue NE, and 92nd Avenue NE.

(b) The agreements pursuant to (a) of this subsection must be executed by June 30, 2024.

~~(3) ((The appropriations in this section provide sufficient funding for the department assuming vacancy savings that may change over time. Funding for staffing will be monitored and adjusted in the 2024 supplemental transportation appropriations act to restore funding as authorized staffing levels are achieved.~~

~~(4))~~(a) ~~(((\$7,000,000))~~ \$9,000,000 of the motor vehicle account—state appropriation is provided solely for the department to address the risks to safety and public health associated with homeless encampments on department owned rights-of-way. The department must coordinate and work with local government officials and social service organizations who provide services and direct people to housing alternatives that are not in highway rights-of-way to help prevent future encampments from forming on highway rights-of-way and may reimburse the organizations doing this outreach assistance who transition people into treatment or housing or for debris clean up on highway rights-of-way. A minimum of \$2,000,000 of this appropriation must be used to deliver more frequent removal of litter on the highway rights-of-way that is generated by unsheltered people and may be used to hire crews specializing in

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collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public and department employees. The department may use these funds to either reimburse local law enforcement costs or the Washington state patrol if they are providing enhanced safety to department staff during debris cleanup or during efforts to prevent future encampments from forming on highway rights-of-way.

(b) Beginning November 1, 2023, and semiannually thereafter, the Washington state patrol and the department of transportation must jointly submit a report to the governor and the transportation committees of the legislature on the status of these efforts, including:

(i) A summary of the activities related to addressing encampments, including information on arrangements with local governments or other entities related to these activities;

(ii) A description of the planned activities in the ensuing two quarters to further address the emergency hazards and risks along state highway rights-of-way; and

(iii) Recommendations for executive branch or legislative action to achieve the desired outcome of reduced emergency hazards and risks along state highway rights-of-way.

~~((5))~~ (4) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Spokane, to be administered in conjunction with subsection ~~((4))~~ (3) of this section. The program must address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$555,000 of the motor vehicle account—state appropriation is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Spokane shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

~~((6))~~ (5) \$1,025,000 of the motor vehicle account—state appropriation is provided solely for the department to implement safety improvements and debris clean up on department-owned rights-of-way in the city of Seattle at levels above that being implemented as of January 1, 2019, to be administered in conjunction with subsection ~~((4))~~ (3) of this section. The department must maintain a crew dedicated solely to collecting and disposing of garbage, clearing debris or hazardous material, and implementing safety improvements where hazards exist to the traveling public, department employees, or people encamped upon department-owned rights-of-way. The department may request assistance from the Washington state patrol as necessary in order for both agencies to provide enhanced safety-related activities regarding the emergency hazards along state highway rights-of-way in the Seattle area.

~~((7))~~ (6) \$1,015,000 of the motor vehicle account—state appropriation is provided solely for a partnership program between the department and the city of Tacoma, to be administered in conjunction with subsection ~~((4))~~ (3) of this section. The program must address the safety and public health problems created by homeless encampments on the department's property along state highways within the city limits. \$570,000 of the motor vehicle account—state appropriation is for dedicated department maintenance staff and associated clean-up costs. The department and the city of Tacoma shall enter into a reimbursable agreement to cover up to \$445,000 of the city's expenses for clean-up crews and landfill costs.

~~((8))~~ (7) \$1,500,000 of the motor vehicle account—state appropriation is provided solely for the department to contract with the city of Fife to address the risks to safety and public health associated with homeless encampments on department-owned

rights-of-way along the SR 167/SR 509 Puget Sound Gateway project corridor in and adjacent to the city limits pursuant to section 216(10), chapter 186, Laws of 2022. However, the amount provided in this subsection must be placed in unallotted status and may not be spent prior to November 1, 2023. If, after November 1, 2023, the department, in consultation with the office of financial management, determines that the department fully spent the \$2,000,000 appropriated in section 216(10), chapter 186, Laws of 2022, within the 2021-2023 fiscal biennium for this purpose, the amount provided in this subsection must remain in unallotted status and unspent. If the department did not fully spend the \$2,000,000 within the 2021-2023 fiscal biennium, the department may only spend from the appropriation in this subsection an amount not in excess of the amount unspent from the \$2,000,000 within the 2021-2023 fiscal biennium, with any remaining amount to remain in unallotted status and unspent. In no event may the department spend more than \$2,000,000 within the 2021-2023 and 2023-2025 fiscal biennia for this purpose.

(8) To the greatest extent practicable, the department shall schedule mowing along state highways to occur after litter pickup has been performed in the area to be mowed. This subsection is not intended to prevent mowing or other similar maintenance activities from being undertaken in the event litter pickup has not been performed.

Sec. 217. 2023 c 472 s 217 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION OPERATIONS—PROGRAM Q—
OPERATING**

Highway Safety Fund—State Appropriation.....	(\$3,529,000))
	<u>\$5,529,000</u>
Motor Vehicle Account—State Appropriation	(\$85,466,000))
	<u>\$88,566,000</u>
Motor Vehicle Account—Federal Appropriation...	\$2,050,000
Motor Vehicle Account—Private/Local Appropriation	
.....	\$294,000
Move Ahead WA Account—State Appropriation..	\$3,090,000
Multimodal Transportation Account—State	
Appropriation	\$5,000,000
State Route Number 520 Corridor Account—State	
Appropriation	\$247,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation	\$44,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation	\$1,122,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation.....	\$37,000
TOTAL APPROPRIATION	(\$100,879,000))
	<u>\$105,979,000</u>

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

(1) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects completed in the prior fiscal biennium.

(2)(a) During the 2023-2025 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more

passengers, regardless of the number of passengers in the vehicle: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(b) The department shall expand the high occupancy vehicle lane access pilot program to vehicles that deliver or collect blood, tissue, or blood components for a blood-collecting or distributing establishment regulated under chapter 70.335 RCW. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, blood-collecting or distributing establishment vehicles that are clearly and identifiably marked as such on all sides of the vehicle are considered emergency vehicles and must be authorized to use the reserved portion of the highway.

(c) The department shall expand the high occupancy vehicle lane access pilot program to for hire nonemergency medical transportation vehicles, when in use for medical purposes, as described in section 208(~~((24) of this act)~~)(20), chapter 472, Laws of 2023. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, nonemergency medical transportation vehicles that meet the requirements identified in section 208(~~((24) of this act)~~)(20), chapter 472, Laws of 2023 must be authorized to use the reserved portion of the highway.

(d) Nothing in this subsection is intended to exempt these vehicles from paying tolls when they do not meet the occupancy requirements established by the department for express toll lanes.

(3) The appropriations in this section assume implementation of additional cost recovery mechanisms to recoup at least \$100,000 in credit card and other financial transaction costs related to the collection of fees imposed under RCW 46.17.400, 46.44.090, and 46.44.0941 for driver and vehicle fee transactions beginning January 1, 2023. The department may recover transaction fees incurred through credit card transactions.

(4) The department shall promote safety messages encouraging drivers to slow down and move over and pay attention when emergency lights are flashing on the side of the road and other suitable safety messages on electronic message boards the department operates across the state. The messages must be promoted through June 30, 2025. The department may coordinate such messaging with any statewide public awareness campaigns being developed by the department of licensing or the Washington state traffic safety commission, or both.

(5) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to address emergent issues related to safety for pedestrians and bicyclists. Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium.

~~((7))~~ (6) \$3,529,000 of the highway safety account—state appropriation is provided solely for implementation of chapter 17, Laws of 2023 (speed safety cameras). ~~((If chapter 17, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.~~

~~(8))~~ (7) \$1,279,000 of the move ahead WA account—state appropriation is provided solely for maintenance and operations of the virtual coordination center. The department is encouraged to apply for federal grant funds for the virtual coordination center and may use state funds as a match. By December 1, 2023, the department shall report to the transportation committees of the legislature: (a) Recommendations to expand the center's operations, including specific additional jurisdictions and corridors across the state; and (b) amounts received and dates of receipt of any new cash and in-kind matches from virtual coordination center partners including, but not limited to, the city of Seattle, King county, other state and local jurisdictions, and private sector partners.

~~((9))~~ (8) \$100,000 of the motor vehicle account—state appropriation is provided solely for the department to prepare and submit a report to the transportation committees of the legislature by December 1, 2024, with a prioritized list of recommendations for improving safety and mobility on Interstate 90 between North Bend and Cle Elum during winter weather events, including estimated costs. The recommendations must include, but are not limited to, options to improve compliance with traction tire and chain requirements and reduce snow-related closures.

~~((4+))~~ (9)(a) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for the department, in coordination with the independent review team of the joint transportation committee, to conduct an analysis of highway, road, and freight rail transportation needs, options, and impacts from shifting the movement of freight and goods that currently move by barge through the lower Snake river dams to highways, other roads, and rail. The study should generate volume estimates and evaluate scenarios for changes in infrastructure and operations that would be necessary to address those additional volumes. The assessment must include quantitative analysis based on available data in terms of both financial and carbon emission costs; and qualitative input gathered from tribal governments, local governments, freight interests, and other key stakeholders, including impacts on disadvantaged/underserved communities. The analysis must include a robust public engagement process to solicit feedback from interested stakeholders including but not limited to: Residents and officials in affected cities and counties; stakeholders involved in railroad, agriculture, fishing, trucking, shipping and other related industries; appropriate Native American tribes; representatives of advocacy and community organizations; and transportation, public works, and economic development organizations in the affected areas, federal highway administration and army corps of engineers. The analysis must be informed by the work of the joint transportation committee's independent review team, and must include the following:

- (i) Existing volumes and traffic patterns;
- (ii) Potential changes in volumes and traffic patterns immediately following the loss of freight movement by barge and over the following 20 years, including the carbon emissions impact of this mode shift;
- (iii) Identification of whether regional geography, land availability, and state and federal regulatory processes would allow for rail and road expansions and increased capacity;
- (iv) Identification of potential infrastructure and operational improvements to existing highways, other roads, and rail, including additional access to facilities, needed to accommodate the higher freight volumes and impacts and potential opportunities to mitigate impacts on shipping rates;
- (v) Identification of rail line development options, including impacts and potential opportunities to mitigate impacts on grain storage and handling facilities at regional unit train yards and port export facilities;

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(vi) An assessment of costs associated with mitigating potential slope failure and stabilization necessitated by the drawdown of the river. An assessment of impacts and potential opportunities to mitigate impacts on adjacent roads, bridges, railroads, and utility corridors shall be included;

(vii) Both financial and carbon cost estimates for development and implementation of identified needs and options, including planning, design, and construction;

(viii) Analysis of the impacts and potential opportunities to mitigate impacts of these infrastructure changes on environmental justice and disadvantaged/underserved communities during construction, as well as from future operations;

(ix) Analysis of safety impacts and potential opportunities to mitigate impacts for a shift from barge transportation to rail or truck, including increases in rural community traffic and consistency with the Washington State Strategic Highway Safety Plan: Target Zero;

(x) Impacts and potential opportunities to mitigate impacts on highly affected commodities, including agriculture, petroleum, project cargo, and wind energy components;

(xi) Analysis of the impacts and potential opportunities to mitigate impacts that reduced competition resulting from removing barging of agricultural products on the Snake river would have on Washington's agricultural industry along with impacts modal shifts would have on the entire supply chain, including export facilities and ports on the Lower Columbia River; and

(xii) Determination of the feasibility that additional east-west freight rail capacity can be achieved, particularly through Columbia River Gorge, and the alternative routes that exist in the event that adding more infrastructure on these routes is not feasible.

(b) The department shall provide status updates on a quarterly basis in coordination with the joint transportation committee. The legislature intends to require a final report to the governor and the transportation committees of the legislature by December 31, 2026.

(10) \$2,000,000 of the highway safety account—state appropriation is provided solely for the department, in consultation with the Washington traffic safety commission, to evaluate and identify geographical locations in both urban and rural highway settings to install and implement wrong-way driving prevention strategies. Such prevention strategies may include improved signage and pavement markings as recommended by the traffic safety commission's report on wrong-way driving, "Strategies and Technologies to Prevent and Respond to Wrong-Way Driving Crashes." The department must report to the legislature any crash data or wrong-way violations that occur at the selected locations by June 30, 2025.

(11) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for the department to develop an automated highway speed safety camera pilot program to test two to three automated traffic safety cameras on state highways. The goals of the automated highway speed safety camera pilot program are to test speed camera technology, determine the impact on speeding behavior in areas of testing, and compile public response to the use of traffic safety cameras on highways.

(a) The department must work with the Washington state patrol and the traffic safety commission to develop the pilot program to include, but not be limited to, the following program elements:

(i) Selection of technology;

(ii) Placement of cameras in high speed, collision, or fatality locations;

(iii) Establishment of public notification and warning signs prior to entering into an area with a speed safety camera;

(iv) Outreach and public engagement about the program and site selection process; and

(v) Development and implementation of a process to collect and report relevant pilot program data, including rates of speed prior to, during, and after the use of pilot program cameras, and public response to pilot program cameras.

(b) Automated traffic safety cameras may only take pictures of the vehicle and the vehicle license plates.

(c) Ticketing of violators using vehicle speed information captured by automated traffic safety cameras authorized under the pilot program is prohibited during the pilot program.

(d) As part of the pilot program, the department may inform registered vehicle owners of a vehicle's rate of speed exceeding the posted speed limit and the amount of the fine the law would have allowed to be imposed by providing notification by mail.

(e) The department is required to provide a program progress report to the governor and transportation committees of the legislature by September 30, 2024, to include a summary of public input on the use of safety cameras, including objections, evaluation of technologies used, and changes in speeding behavior.

(f) Photographs, microphotographs, electronic images, and other personally identifying data captured and collected for the purposes of the pilot program are for the exclusive use of the Washington state patrol and department of transportation in carrying out the pilot program, are not open to the public, and may not be used in court in a pending action or proceeding.

(12) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter . . . (Substitute House Bill No. 1989), Laws of 2024 (graffiti abatement and reduction pilot). If chapter . . . (Substitute House Bill No. 1989), Laws of 2024 is not enacted by June 30, 2024, the amount provided in this subsection lapses.

Sec. 218. 2023 c 472 s 218 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION MANAGEMENT AND SUPPORT—
PROGRAMS**

Motor Vehicle Account—State Appropriation ((\$62,639,000))	\$63,497,000
Motor Vehicle Account—Federal Appropriation.....	\$780,000
Motor Vehicle Account—Private/Local Appropriation	\$500,000
.....	\$500,000
Move Ahead WA Flexible Account—State Appropriation	\$5,400,000
.....	\$5,400,000
Puget Sound Ferry Operations Account—State	
Appropriation	((\$510,000))
	\$509,000
Multimodal Transportation Account—State	
Appropriation	((\$22,323,000))
	\$22,723,000
State Route Number 520 Corridor Account—State	
Appropriation	\$220,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation	\$136,000
Alaskan Way Viaduct Replacement Project Account—	
State Appropriation	\$127,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	\$114,000
TOTAL APPROPRIATION	((\$92,749,000))
	\$94,006,000

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

(1)(a) \$2,000,000 of the motor vehicle account—state appropriation and \$5,400,000 of the move ahead WA flexible

account—state appropriation are provided solely for efforts to increase diversity in the transportation construction workforce through:

(i) The preapprenticeship support services (PASS) and career opportunity maritime preapprenticeship support services (COMPASS) programs, which aim to increase diversity in the highway construction and maritime workforces and prepare individuals interested in entering the highway construction and maritime workforces. In addition to the services allowed under RCW 47.01.435, the PASS and COMPASS programs may provide housing assistance for youth aging out of the foster care and juvenile rehabilitation systems to support their participation in a transportation-related preapprenticeship program and support services to obtain necessary maritime documents and coast guard certification; and

(ii) Assisting minority and women-owned businesses to perform work in the highway construction industry.

(b) The department shall report annually to the transportation committees of the legislature on efforts to increase diversity in the transportation construction workforce.

(2) \$1,512,000 of the motor vehicle account—state appropriation and \$488,000 of the Puget Sound ferry operations account—state appropriation are provided solely for the department to develop, track, and monitor the progress of community workforce agreements, and to assist with the development and implementation of internal diversity, equity, and inclusion efforts and serve as subject matter experts on federal and state civil rights provisions. The department shall engage with relevant stakeholders, and provide a progress report on the implementation of efforts under this subsection to the transportation committees of the legislature and the governor by December 1, 2024.

(3) For Washington state department of transportation small works roster projects under RCW 39.04.155, the department may only allow firms certified as small business enterprises, under 49 C.F.R. 26.39, to bid on the contract, unless the department determines there would be insufficient bidders for a particular project. The department shall report on the effectiveness of this policy to the transportation committees of the legislature by December 1, 2024.

(4) \$21,195,000 of the motor vehicle account—state appropriation and \$21,194,000 of the multimodal transportation account—state appropriation are provided solely for the department to upgrade the transportation reporting and accounting information system to the current cloud version of the software, and is subject to the conditions, limitations, and review requirements of section 701 ~~(of this act)~~, chapter 472, Laws of 2023.

~~((6))~~ (5) \$56,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 230, Laws of 2023 (clean energy siting). ~~(If chapter 230, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.)~~

Sec. 219. 2023 c 472 s 219 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION PLANNING, DATA, AND
RESEARCH—PROGRAM T**

Carbon Emissions Reduction Account—State	
Appropriation.....	((3,000,000))
	<u>\$4,000,000</u>
Motor Vehicle Account—State Appropriation	((32,089,000))
	<u>\$32,044,000</u>
Motor Vehicle Account—Federal Appropriation	((31,412,000))
	<u>\$31,527,000</u>

Motor Vehicle Account—Private/Local	Appropriation	\$400,000
Move Ahead WA Flexible Account—State	Appropriation	\$11,922,000
Multimodal Transportation Account—State	Appropriation	((2,414,000))
		<u>\$2,714,000</u>
Multimodal Transportation Account—Federal	Appropriation	\$2,809,000
Multimodal Transportation Account—Private/Local	Appropriation	\$100,000
TOTAL APPROPRIATION		((84,146,000))
		<u>\$85,516,000</u>

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

(1) \$750,000 of the multimodal transportation account—state appropriation is provided solely for the department to partner with the department of commerce and regional transportation planning organizations in implementing vehicle miles traveled targets and supporting actions. As part of target setting, important factors that must be considered include land use patterns, safety, and vulnerable populations. The department shall provide an interim report by June 30, 2024, and a final report by June 30, 2025.

~~((3))~~ (2) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to continue implementation of a performance-based project evaluation model. The department must issue a report by September 1, 2024.

~~((4))~~ (3)(a) \$180,000 of the multimodal transportation account—state appropriation is provided solely for Thurston regional planning council (TRPC) to conduct a study examining options for multimodal high capacity transportation (HCT) to serve travelers on the Interstate 5 corridor between central Thurston county (Olympia area) and Pierce county.

(b) The study will include an assessment of travelsheds and ridership potential and identify and provide an evaluation of options to enhance connectivity and accessibility for the greater south Puget Sound region with an emphasis on linking to planned or existing commuter or regional light rail. The study must account for previous and ongoing efforts by transit agencies and the department. The study will emphasize collaboration with a diverse community of interests, including but not limited to transit, business, public agencies, tribes, and providers and users of transportation who because of age, income, or ability may face barriers and challenges.

(c) The study is due to the governor and transportation committees of the legislature by September 1, 2024.

~~((5) \$400,000)~~ (4) \$700,000 of the multimodal transportation account—state appropriation is provided solely for the city of Seattle's office of planning and community development to support an equitable development initiative to reconnect the South Park neighborhood, currently divided by state route number 99.

(a) The support work must include:

(i) A public engagement and visioning process led by a neighborhood-based, community organization; and

(ii) A feasibility study of decommissioning state route number 99 in the South Park neighborhood to include, but not be limited to, traffic studies, environmental impact analysis, and development of alternatives, including the transfer of the land to a neighborhood-led community land trust.

(b) The support work must be conducted in coordination and partnership with neighborhood residents, neighborhood industrial and commercial representatives, the state department of transportation, and other entities and neighborhoods potentially impacted by changes to the operation of state route number 99.

(c) The city must provide a report on the plan that includes

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recommendations to the Seattle city council, state department of transportation, and the transportation committees of the legislature by ~~((December 1, 2024))~~ June 30, 2025.

~~((6))~~ (5) \$2,557,000 of the motor vehicle account—state appropriation is provided solely for the department to upgrade the department's linear referencing system (LRS) and highway performance monitoring system (HPMS), and is subject to the conditions, limitations, and review requirements in section 701 ~~((of this act)), chapter 472, Laws of 2023~~.

~~((7))~~ (6) \$306,000 of the multimodal transportation account—state appropriation is provided solely for the department to appoint or designate a liaison to serve as a point of contact and resource for the department, local governments, and project proponents regarding land use decisions and processing development permit applications. The liaison must, as a priority, facilitate and expedite any department decisions required for project approval.

~~((8) \$627,000)~~ (7) \$742,000 of the motor vehicle account—federal appropriation is provided solely for remaining work on the "Forward Drive" road usage charge research project overseen by the transportation commission using the remaining amounts of the federal grant award. The remaining work of this project includes:

- (a) Analysis of road usage charge simulation and participant surveys;
- (b) Follow up on road usage charge experiences related to payment installments, mileage exemptions, and vehicle-based mileage reporting;
- (c) Completion of technology research; and
- (d) Development of the final "Forward Drive" research program report.

~~((9))~~ (8)(a) \$11,922,000 of the move ahead WA flexible account—~~(federal)~~ state appropriation is provided solely for an Interstate 5 planning and environmental linkage study and a statewide Interstate 5 master plan, building upon existing work under way in the corridor. It is the intent of the legislature to provide a total of \$40,000,000 for this work by 2029.

(b) The work under (a) of this subsection must include, but is not limited to, the following:

- (i) Seismic resiliency planning to refine the level of effort and develop informed cost estimates for the seismic vulnerability analysis;
- (ii) HOV lane system-wide performance planning and initial steps to launch a pilot project that progresses innovative and emerging technologies;
- (iii) Interstate 5 corridor planning work, including development of a framework, coordination of corridor needs, development of core evaluation criteria and a prioritization process, and identification of early action priority projects that address safety or resiliency, or both, along the corridor; and
- (iv) A report to the transportation committees of the legislature by December 1, 2024, with recommendations for future phases and a detailed funding request for work planned through 2029.

(c) Of the amounts provided in this subsection, \$300,000 is provided solely for the department to conduct a Seattle Interstate 5 ramp reconfiguration study. The study must be conducted in coordination and partnership with the city of Seattle's department of transportation, informed by the input of Interstate 5 lid stakeholders, and coordinated with work under (a) and (b) of this subsection. The department must provide a study report, including recommendations, to the city of Seattle's department of transportation and the transportation committees of the legislature by December 1, 2024. The study must include an analysis of:

- (i) Options and opportunities to reconfigure, relocate, or remove Interstate 5 ramps within and between Chinatown-International District and the University District for the purpose

of improving through-traffic operations, enhancing multimodal transportation safety, and enabling more efficient air rights development;

- (ii) Potential mitigation needs and cost estimates of ramp changes and demolitions;
- (iii) Benefits of ramp changes and demolitions to pedestrian and bicycle travel, transit operations, and future lid design;
- (iv) Ramps for the mainline, collector-distributor lanes and express lanes including, at a minimum, ramps connecting to and from James Street, Cherry Street, 6th Avenue, Madison Street, Seneca Street, Spring Street, University Street, Union Street, Olive Way, Yale Avenue, NE 45th Street, and NE 50th Street;
- (v) Removal of the existing ramps at Seneca Street, Spring Street, and University Street; and
- (vi) Removal and consolidation options of the existing NE 45th Street and NE 50th Street ramps.

(d) The department shall work with the emergency management division of the military department to identify strategic transportation corridors, opportunities to improve resilience and reinforce the corridors against natural disasters, and opportunities to secure federal funding for investments in the resilience of the transportation network. The department shall provide a report to the transportation committees of the legislature by December 1, 2023, on:

- (i) Strategic transportation corridors and opportunities to improve their resilience;
- (ii) Federal funding opportunities the state should pursue; and
- (iii) Recommendations for actions to maximize federal funding for the state of Washington.

~~((10))~~ (9) The department shall continue to coordinate planning work focused on the transportation system in western Washington across modes with the goal of maximizing system performance toward the policy goals in RCW 47.04.280 in the most cost-effective manner. This coordination must include, but is not limited to: The Interstate 5 highway corridor, existing rail infrastructure and future high-speed rail alignment, and commercial aviation capacity. The department must report to the joint transportation committee through existing reporting mechanisms on the status of these planning efforts including, but not limited to, a long-term strategy for addressing resilience of the transportation system in western Washington through consideration of changing demand, modal integration, and preservation needs. The coordinated work must include an analysis of different alternatives to promote system resilience, including performance and cost of each scenario.

~~((13))~~ (10) \$3,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department, in coordination with the department's HEAL act team and environmental services office, to develop and implement a community outreach, education, and technical assistance program for overburdened communities and their community partners in order to develop community-centered carbon reduction strategies to make meaningful impacts in a community, and to provide assistance in gaining access to available funding to implement these strategies, where applicable. The department may provide appropriate compensation to members of overburdened communities who provide solicited community participation and input needed by the department to implement and administer the program established in this subsection. By June 1, 2024, and by June 1, 2025, the department must submit a report to the transportation committees of the legislature and to the governor that provides an update on the department's community outreach, education, and technical assistance program development and implementation efforts.

(11) \$200,000 of the motor vehicle account—state

appropriation is provided solely for planning and intersection improvements along state route number 904 and improvements to the local network that would feed intersections with state route number 904. This work must include, but is not limited to, the Medical Lake/Four Lakes Road/West 3rd Ave intersection and feeding local network. The department must collaborate with Spokane county and the city of Cheney on this work and other improvement ideas along the corridor.

(12) Beginning January 1, 2025, \$1,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to contract with a world cup organizing committee based in Seattle to undertake low carbon transportation planning efforts that will help prepare for the increase in visitors due to the 2026 FIFA world cup soccer matches in Seattle and other venues in the state. The planning, to be developed in coordination with the department and local mobility agencies, must identify critical infrastructure and operational improvements that will support active transportation and reliability of transit, making it easier for the public to choose options other than single-occupancy vehicles. A progress report including best practices for future events must be delivered to the department, office of the governor, and transportation committees of the legislature by June 30, 2025.

Sec. 220. 2023 c 472 s 220 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
CHARGES FROM OTHER AGENCIES—PROGRAM U**

Aeronautics Account—State Appropriation	\$1,000
Transportation Partnership Account—State Appropriation.....	(\$29,000)
	\$56,000
Motor Vehicle Account—State Appropriation	(\$105,197,000)
	\$112,419,000
Puget Sound Ferry Operations Account—State Appropriation.....	\$244,000
State Route Number 520 Corridor Account—State Appropriation.....	\$69,000
Connecting Washington Account—State Appropriation	(\$233,000)
	\$452,000
Multimodal Transportation Account—State Appropriation.....	(\$5,585,000)
	\$6,335,000
Tacoma Narrows Toll Bridge Account—State Appropriation.....	\$43,000
Alaskan Way Viaduct Replacement Project Account— State Appropriation.....	\$38,000
Interstate 405 and State Route Number 167 Express Toll Lanes Account—State Appropriation	(\$40,000)
	\$43,000
TOTAL APPROPRIATION.....	(\$111,479,000)
	\$119,700,000

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

(1) Consistent with existing protocol and practices, for any negotiated settlement of a claim against the state for the department that exceeds \$5,000,000, the department, in conjunction with the attorney general and the department of enterprise services, shall notify the director of the office of financial management and the transportation committees of the legislature.

(2) On August 1, 2023, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the Washington state

ferry system to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; (c) defense costs associated with those claims and settlements; and (d) information on the impacts of moving legal costs associated with the Washington state ferry system into the statewide self-insurance pool.

(3) On August 1, 2023, and semiannually thereafter, the department, in conjunction with the attorney general and the department of enterprise services, shall provide a report with judgments and settlements dealing with the nonferry operations of the department to the director of the office of financial management and the transportation committees of the legislature. The report must include information on: (a) The number of claims and settlements by type; (b) the average claim and settlement by type; and (c) defense costs associated with those claims and settlements.

(4) When the department identifies significant legal issues that have potential transportation budget implications, the department must initiate a briefing for appropriate legislative members or staff through the office of the attorney general and its legislative briefing protocol.

Sec. 221. 2023 c 472 s 221 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
PUBLIC TRANSPORTATION—PROGRAM V**

Carbon Emissions Reduction Account—State Appropriation	(\$500,000)
	\$30,400,000
Climate Transit Programs Account—State Appropriation	(\$406,287,000)
	\$410,645,000
State Vehicle Parking Account—State Appropriation	\$784,000
Regional Mobility Grant Program Account—State Appropriation	(\$115,060,000)
	\$120,177,000
Rural Mobility Grant Program Account—State Appropriation	(\$32,774,000)
	\$33,077,000
Multimodal Transportation Account—State Appropriation	(\$118,255,000)
	\$126,238,000
Multimodal Transportation Account—Federal Appropriation	\$4,374,000
Multimodal Transportation Account—Private/Local Appropriation	\$100,000
TOTAL APPROPRIATION	(\$678,134,000)
	\$725,795,000

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

(1) ~~(\$64,354,000)~~ \$64,906,000 of the multimodal transportation account—state appropriation and ~~(\$78,100,000)~~ \$78,325,000 of the climate transit programs account—state appropriation are provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) \$14,420,000 of the multimodal transportation account—state appropriation and \$17,963,000 of the climate transit programs account—state appropriation are provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

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(b) \$48,278,000 of the multimodal transportation account—state appropriation and \$60,137,000 of the climate transit programs account—state appropriation are provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2021 as reported in the "2021 Summary of Public Transportation" published by the department of transportation. No transit agency may receive more than 30 percent of these distributions. Fuel type may not be a factor in the grant selection process.

(c) (~~(\$1,656,000)~~) \$2,208,000 of the multimodal transportation account—state appropriation (~~(is)~~) and \$225,000 of the climate transit programs account—state appropriation are provided solely for the reappropriation of amounts provided for this purpose in the 2021-2023 fiscal biennium.

(2) (~~(\$32,774,000)~~) \$33,077,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100. Fuel type may not be a factor in the grant selection process.

(3) (~~(\$11,382,000)~~) \$11,598,000 of the multimodal transportation account—state appropriation is provided solely for a public transit rideshare grant program for: (a) Public transit agencies to add or replace rideshare vehicles; and (b) incentives and outreach to increase rideshare use. The grant program for public transit agencies may cover capital costs only, and costs for operating vanpools at public transit agencies are not eligible for funding under this grant program. Awards from the grant program must not be used to supplant transit funds currently funding ride share programs, or to hire additional employees. Fuel type may not be a factor in the grant selection process. Of the amounts provided in this subsection, (~~(\$1,092,000)~~) \$1,308,000 is for the reappropriation of amounts provided for this purpose in the 2021-2023 fiscal biennium.

(4) (~~(\$37,382,000)~~) \$48,597,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) March 6, 2024, Program - Public Transportation Program (V).

(5)(a) (~~(\$77,679,000)~~) \$71,581,000 of the regional mobility grant program account—state appropriation is provided solely for the regional mobility grant projects identified in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) March 6, 2024, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2023, and December 15, 2024, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional

mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than 25 percent of the amount appropriated in this subsection unless all other funding is awarded. Additionally, when allocating funding for the 2023-2025 fiscal biennium, no more than 30 percent of the total grant program may directly benefit or support one grantee unless all other funding is awarded. Fuel type may not be a factor in the grant selection process.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2023-2025 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(c) \$1,500,000 of the amount appropriated in this subsection is provided solely for a contingency fund to assist current regional mobility grantees with cost escalations and overages. The department shall create a system for grantees to request funds, and set a cap of contingency funds per grantee to ensure an equitable distribution among requesters.

(d) During the 2023-2025 fiscal biennium, the department shall consider applications submitted by regional transportation planning organizations and metropolitan planning organizations for the regional mobility grant program funding in the 2025-2027 fiscal biennium.

(6) \$6,195,000 of the multimodal transportation account—state appropriation, \$3,300,000 of the climate transit programs account—state appropriation, and \$784,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities. Fuel type may not be a factor in the grant selection process. Of this amount, \$495,000 of the multimodal transportation account—state appropriation is reappropriated and provided solely for continuation of previously approved projects under the first mile/last mile connections grant program.

(7) (~~(\$11,914,000)~~) \$16,319,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington transit projects identified in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) March 6, 2024. It is the intent of the legislature that entities identified to receive funding in the LEAP transportation document referenced in this subsection receive the amounts specified in the time frame specified in that LEAP document. If an entity has already completed a project in the LEAP transportation document referenced in this subsection before the time frame identified, the entity may substitute another transit project or projects that cost a similar or lesser amount.

(8) The department shall not require more than a 10 percent match from nonprofit transportation providers for state grants.

(9) \$12,000,000 of the multimodal transportation account—state appropriation and \$39,400,000 of the climate transit programs account—state appropriation are provided solely for the green transportation capital projects identified in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) March 6, 2024, Program - Public Transportation Program (V). Of the amount of climate transit program account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(10) ~~(\$4,407,000)~~ \$5,950,000 of the multimodal transportation account—state appropriation ~~((#))~~ and \$1,249,000 of the climate transit programs account—state appropriation are reappropriated and provided solely for the green transportation capital grant projects identified in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ March 6, 2024, Program - Public Transportation Program (V).

(11) ~~(\$10,000,000)~~ Beginning January 1, 2025, \$7,442,000 of the carbon emissions reduction account—state appropriation is provided solely for additional green transportation capital projects identified in LEAP Transportation Document 2024-2 ALL PROJECTS as developed March 6, 2024. Of the amounts provided in this subsection, \$1,000,000 is for the Jefferson Transit - Electric Bus Replacement project (GT23250A), \$1,023,000 is for the Pacific Transit - Electrification of the Paratransit Fleet project (GT23250C), \$3,795,000 is for the C-TRAN - Hydrogen Fueling Station Infrastructure project (GT23250D), and \$1,623,000 is for the Island Transit - Fleet Expansion project (GT23250E).

(12) \$10,267,000 of the climate transit programs account—state appropriation is provided solely for tribal transit grants. Up to one percent of the amount provided in this subsection may be used for program administration and staffing.

(a) The department must establish a tribal transit competitive grant program ~~((to be administered as part of the department's consolidated grant program)).~~ Grants to federally recognized tribes may be for any transit purpose, including planning, operating costs, maintenance, and capital costs. The department shall report to the transportation committees of the legislature and the office of financial management with a list of projects recommended for funding by September 1, ~~((2023))~~ 2024, along with recommendations on how to remove barriers for tribes to access grant funds, including removal of grant match requirements, and recommendations for how the department can provide technical assistance.

(b) Within the amount provided in this subsection, ~~(\$5,038,000)~~ \$10,167,000 is provided solely for move ahead Washington tribal transit grant projects as listed in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ March 6, 2024. Of this amount, \$529,000 is for the Sauk-Suiattle Commuter project (L1000318).

~~(\$188,900,000)~~ (13) \$188,930,000 of the climate transit programs account—state appropriation is provided solely for transit support grants for public transit agencies that have adopted a zero-fare policy for youth 18 years of age and under by October 1, 2022. The department must confirm zero-fare policies are in effect at transit agencies to be eligible for biennial distributions.

~~(\$33))~~ (14) \$38,000,000 of the climate transit programs account—state appropriation is provided solely for the bus and bus facility grant program for replacement, rehabilitation, and purchase of transit rolling stock, or construction, modification, or rehabilitation of transit facilities.

(15) Beginning January 1, 2025, \$7,758,000 of the carbon emissions reduction account—state appropriation is provided solely for additional bus and bus facility projects. Of the amounts provided in this subsection, \$1,467,000 is for Kitsap Transit for inductive charging units for transit centers, \$1,891,000 is for Twin Transit for zero-emission vehicle acquisition, \$4,400,000 is for C-TRAN for highway 99 BRT hydrogen fuel cell buses.

~~(\$44))~~ (16) \$2,000,000 of the climate transit programs account—state appropriation is provided solely for newly selected transit coordination grants. The department shall prioritize grant proposals that promote the formation of joint partnerships between transit agencies or merge service delivery across entities.

~~(\$15))~~ (17) \$46,587,000 of the climate transit programs account—state appropriation is provided solely for move ahead Washington transit projects as listed in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ March 6, 2024, Move Ahead WA - Transit Projects.

(a) For projects funded as part of this subsection, if the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used within the 2023-2025 fiscal biennium to advance one or more of the projects listed, prioritizing projects first by tier then by project readiness.

(b) In instances when projects listed in the LEAP transportation document referenced in this subsection (15) are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations on certain funds provided. In the event that the listed project has been completed, the local jurisdictions may, rather than submitting an alternative project, be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(c) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

~~(\$580,000)~~ (18) \$702,000 of the multimodal transportation account—state appropriation is provided solely for the department to provide a statewide vanpool benefit for all state employees. For department employees working in remote job sites, such as mountain passes, the department must ensure employees are able to access job sites via a subsidized vanpool or provide a modal alternative for the "last mile" to ensure employees can access the job site without additional charge.

~~(\$7))~~ (19) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the department to update the 2019 feasibility study to add a fifth travel Washington intercity bus line in the Yakima Valley. The department must provide a summary report of the updated feasibility and cost estimates to the transportation committees of the legislature by December 1, 2024.

~~(\$9))~~ (20) \$555,000 of the multimodal transportation account—state appropriation and \$500,000 of the carbon emissions reduction account—state appropriation are provided solely for an interagency transfer to the Washington State University extension energy program to administer a technical assistance and education program for public agencies on the use of alternative fuel vehicles. The Washington State University extension energy program shall prepare a report regarding the utilization of the program and submit this report to the transportation committees of the legislature by November 15, 2023.

~~(\$20))~~ (21)(a) ~~(\$400,000)~~ \$500,000 of the multimodal transportation account—state appropriation is provided solely for King county metro to develop a pilot program to place teams, including human services personnel, along routes that are enduring significant public safety issues and various disruptive behavior in south King county. The team would be available to deescalate disruptions, provide immediate access to transit resources, and refer customers to community resources to break cycles of inappropriate behavior. The teams must consist of individuals trained in deescalation and outreach. Team functions

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and duties should be cocreated with community stakeholders.

(b) King county metro must provide a report to the transportation committees of the legislature by June 30, 2024, regarding the effectiveness of the program, any suggestions for improving its efficacy, and any modifications that might be necessary for other transit providers to institute similar programs.

(c) King county metro must provide at least a 50 percent match to develop the pilot program funded under this subsection.

~~((24))~~ (22) \$500,000 of the multimodal transportation account—state appropriation is provided solely for planning to move Grays Harbor transit operation and administration facilities from the current location.

(23) As part of the department's 2025-2027 biennial budget request, the department must submit budget materials for the public transportation division separated into operating and capital budgeted programs.

(24) Beginning January 1, 2025, \$2,000,000 of the carbon emissions reduction account—state appropriation is provided solely for new transit coordination grants, prioritizing projects that coordinate transit service to and from Washington state ferry terminals. Program eligibility must be expanded to include proposals from transit agencies in counties with populations fewer than 700,000 that coordinate service to and from Washington state ferry terminals.

(25) Beginning January 1, 2025, \$900,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to implement certain recommendations from the 2023 frequent transit service study. The department shall define levels and types of demand-response service and measure access to these services within Washington for the purpose of gaining a fuller picture of transit access. The department must collect ongoing transportation data and develop systems to allow for analysis of disparities in access to existing fixed route transit. The data collection should prioritize collecting information on accessibility and inclusion of people with disabilities, vulnerable populations in overburdened communities, and other underserved communities. The department shall submit a report on data collection efforts to the transportation committees of the legislature and the office of financial management by June 30, 2025.

(26) Beginning January 1, 2025, \$11,800,000 of the carbon emissions reduction account—state appropriation is provided solely for the following projects identified in LEAP Transportation Document 2024-2 ALL PROJECTS as developed March 6, 2024:

(a) Base Refurbish & Expansion for Growth/Columbia County Public Transportation (L4000182);

(b) Kitsap Transit: Design & Shore Power (G2000115);

(c) Pierce Transit - Meridian (L2021197); and

(d) King County Metro South Annex Base - Electrification Elements (L4000174).

(27) \$100,000 of the multimodal transportation account—state appropriation is provided solely for King county metro to implement a pilot program to provide funds to nonprofit organizations to offer rideshare vouchers to persons who are low-income and people with disabilities who rely on paratransit to get to and from work or medical appointments. King county metro must work with a group who provides dialysis services in King county and with a group who provides employment services and supports to adults with disabilities in the four most populous counties in Washington. The department must submit a report to the office of financial management and the transportation committees of the legislature by June 1, 2025. The report must incorporate feedback from participants to the extent possible and evaluate the effectiveness of the program as an alternative to

current public transportation programs.

Sec. 222. 2023 c 472 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

Puget Sound Ferry Operations Account—State	
Appropriation	((575,986,000))
	\$571,594,000
Puget Sound Ferry Operations Account—Federal	
Appropriation	((163,791,000))
	\$198,650,000
Puget Sound Ferry Operations Account—Private/Local	
Appropriation	\$121,000
TOTAL APPROPRIATION	((739,898,000))
	\$770,365,000

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

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2023-2025 supplemental and 2025-2027 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs. The data in the tables in the report must be supplied in a digital file format.

(2) ~~((90,014,000))~~ \$97,060,000 of the Puget Sound ferry operations account—federal appropriation and ~~((50,067,000))~~ \$51,450,000 of the Puget Sound ferry operations account—state appropriation are provided solely for auto ferry vessel operating fuel in the 2023-2025 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 703 ~~((of this act)),~~ chapter 472, Laws of 2023. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge. The department shall review future use of alternative fuels and dual fuel configurations, including hydrogen.

(3) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for operating costs related to moving vessels for emergency capital repairs. Funds may only be spent after approval by the office of financial management.

(4) The department must work to increase its outreach and recruitment of populations underrepresented in maritime careers and continue working to expand apprenticeship and internship programs, with an emphasis on programs that are shown to improve recruitment for positions with the state ferry system.

(5) \$175,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to continue a study of passenger demographics. The study may be included as part of a larger origin and destination study. The department shall report study results to the transportation committees of the legislature by December 1, 2023. Following completion of the study, the department must compare study results to the composition of groups outlined in RCW 47.60.310, both by overall representation of ferry riders and by route. A summary is due to the office of the governor and transportation committees of the legislature by December 1, 2024.

(6) The department shall continue to oversee a consultant study to identify and recommend cost-effective strategies to maximize walk-on passenger ridership of the Anacortes – San Juan ferry routes. The study is due to the transportation committees of the legislature by December 1, 2023. By December 1, 2024, any feasible near to medium term solutions identified from the study

must be reported to the office of the governor and transportation committees of the legislature and include cost estimates for implementation.

(7) (~~(\$11,842,000)~~) \$16,973,000 of the Puget Sound ferry operations account—state appropriation is provided solely for Washington state ferries to:

(a) Provide scholarships, coursework fees, and stipends for candidates to become licensed deck officers (mates);

(b) Improve the process for unlicensed candidates who have achieved able-bodied sailor (AB) status to earn their mate's license;

(c) Annually hire, orient, train, and develop entry level engine room staff at the wiper classification with the intention of successfully promoting to oiler classification;

(d) Create an operations project management office; (~~and~~)

(e) Increase human resources capacity to expand recruitment efforts including to communities currently underrepresented within the Washington state ferries, and add a workforce ombuds; and

(f) Hire additional dispatch staff.

(8) \$169,000 of the Puget Sound ferry operations account—state appropriation is provided solely for hiring an additional service planner.

(9)(a) During negotiations of the 2025-2027 collective bargaining agreements, the department must conduct a review and analysis of the collective bargaining agreements governing state ferry employees, to identify provisions that create barriers for, or contribute to creating a disparate impact on, newly hired ferry employees, including those who are women, people of color, veterans, and other employees belonging to communities that have historically been underrepresented in the workforce. The review and analysis must incorporate, to the extent practicable, the findings and recommendations from the December 2022 joint transportation committee study on Washington state ferries' workforce, and must also include, but not be limited to, provisions regarding seniority, work assignments, and work shifts. The review and analysis must also include consultation with the governor's office of labor relations, the governor's office of equity, and the attorney general's office.

(b) For future negotiations or modifications of the collective bargaining agreements, it is the intent of the legislature that the collective bargaining representatives for the state and ferry employee organizations may consider the findings of the review and analysis required in (a) of this subsection and negotiate in a manner to remove identified barriers and address identified impacts so as not to perpetuate negative impacts.

~~((9) \$1,500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the restoration of service to Sidney, British Columbia. Funds must be held in unallotted status pending completion of the assessment referenced in subsection (12) of this section.)~~

(10) \$1,504,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the implementation of chapter 188, Laws of 2023 (state ferry workforce development issues). If chapter 188, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(11) (~~(\$1,000,000)~~) \$5,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for support of the Kitsap transit passenger ferry to supplement service on the Seattle-Bremerton route.

(12) \$100,000 of the Puget Sound ferry operations account—state appropriation is provided solely to assess temporary service restoration options for the Sidney, British Columbia route until Washington state ferries can resume its service. Washington state ferries must provide service options and recommendations to the office of financial management and the transportation committees

of the legislature by December 15, 2023.

(13) (~~(\$2,400,000)~~) \$2,549,000 of the Puget Sound ferry operations account—state appropriation is provided solely for security services at Colman Dock.

(14) (~~(\$9,000,000)~~) \$13,856,000 of the Puget Sound ferry operations account—state appropriation is provided solely for overtime and familiarization expenses incurred by engine, deck, and terminal staff. The department must provide updated staffing cost estimates for fiscal years 2024 and 2025 with its annual budget submittal and updated estimates by January 1, 2024.

(15) \$1,064,000 of the Puget Sound ferry operations account—state appropriation is provided solely for traffic control at ferry terminals at Seattle, Fauntleroy, Kingston, Edmonds, Mukilteo, and Bainbridge Island, during peak ferry travel times, with a particular focus on Sundays and holiday weekends.

(16) \$93,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the Washington state ferries to secure housing for workforce training sessions and to pay in advance for the costs of transportation worker identification credentials, merchant mariner credentials, and medical examinations for incoming ferry system employees and trainees.

(17) \$10,417,000 of the Puget Sound ferry operations account—state appropriation is provided solely for vessel maintenance initiatives to:

(a) Add a second shift at the Eagle Harbor maintenance facility;

(b) Establish maintenance management project controls to maximize vessel maintenance work at the Eagle Harbor facility;

(c) Expand the existing Washington state ferries Eagle Harbor apprenticeship program from two to eight apprentices; and

(d) Maintain assets in a state of good repair by investing in enterprise asset management operating capacity.

(18)(a) \$855,000 of the Puget Sound ferry operations account—state appropriation is provided solely for Washington state ferries to provide to Seattle Central Community College for a pilot with the Seattle Maritime Academy for the 2023-2025 fiscal biennium. Funding may not be expended until Washington state ferries certifies to the office of financial management that a memorandum of agreement with Seattle Central Community College has been executed, and the office of financial management determines that funds provided in this subsection are utilized for programs that are a benefit to the Washington state ferries or the prospective workforce pipeline of the Washington state ferries. The memorandum of agreement with Seattle Central Community College must address:

(i) Prioritized use of training and other facilities and implementation of joint training opportunities for Washington state ferries' employees and trainees;

(ii) Development of a joint recruitment plan with Seattle Central Community College aimed at increasing enrollment of women and people of color, with specific strategies to recruit existing community and technical college students, maritime skills center students, high school students from maritime programs, including maritime skills center students, foster care graduates, and former juvenile rehabilitation and adult incarcerated individuals; and

(iii) Consultation between the parties on the development of the training program, recruitment plan and operational plan, with an emphasis on increasing enrollment of women and people of color.

(b) The joint training and recruitment plan must be submitted to the appropriate policy and fiscal committees of the legislature by December 1, 2023. The Washington state ferries must submit findings of program effectiveness and recommendations for continuation of the pilot, to the appropriate committees of the legislature by December 1, 2024.

(19) \$420,000 of the Puget Sound ferry operations account

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appropriation—state is provided solely for a contract with an organization with experience evaluating and developing recommendations for the Washington state ferries' workforce to provide expertise on short-term strategies including, but not limited to, addressing recruitment, retention, diversity, training needs, leadership development, and succession planning. The consultant shall provide additional assistance as deemed necessary by the Washington state ferries to implement recommendations from the joint transportation committee 2022 workforce study. Periodic updates must be given to the joint transportation committee and the governor.

(20) By December 31st of each year, as part of the annual ferries division performance report, the department must report on the status of efforts to increase the staff available for maintaining the customary level of ferry service, including staff for deck, engine, and terminals. The report must include data for a 12-month period up to the most recent data available, by staff group, showing the number of employees at the beginning of the 12-month period, the number of new employees hired, the number of employees separating from service, and the number of employees at the end of the 12-month period. The department report on additional performance measures must include:

(a) Numbers of trip cancellations due to crew availability or vessel mechanical issues; ~~(and)~~

(b) Current level of service compared to the full-service schedules in effect in 2019; and

(c) Retention rates of employees who have completed on the job workforce development programs and overall employee retention rates.

(21) \$10,000,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to increase deck and engine positions across the system, prioritizing positions that will mitigate crew related cancellations and reduce overtime expenditures. The department must include an update on the number of positions hired by job class as part of the annual performance report. The legislature intends to provide \$16,000,000 on an ongoing basis to support additional crew efforts.

(22) \$500,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to evaluate options for the state to return to providing state passenger-only ferry service to support existing ferry service routes.

(a) The study must focus on the routes recommended for further study by the 2020 study of passenger-only ferry service by the Puget Sound regional council as well as San Juan county interisland passenger-only ferry service. The department must contract with a third-party entity with experience in passenger-only ferry service.

(b) The evaluation must study options for the state to return to providing state passenger-only ferry service to support existing ferry service routes. The study must include estimated ridership, operating costs including labor, vessel procurement options with prioritization given to clean fueled ferries such as electric ferries, funding options including state subsidies of passenger-only ferry districts, and schedule and timing to implement passenger-only ferry options in evaluated routes.

(c) A progress report is due to the governor and transportation committees of the legislature by October 30, 2024. A final report is due to the governor and transportation committees of the legislature by June 1, 2025.

(23) \$100,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the department to reimburse walk-on customers for emergency expenses incurred as a result of a cancellation of the last sailing of the day. In

consideration for receiving the reimbursement, an applicant must sign a release of claims drafted by the department. The department shall create a process for reimbursement and set a per diem limit for reimbursement per individual.

(24) \$3,170,000 of the Puget Sound ferry operations account—state appropriation is provided solely for temporary expanded weekday midday King county water taxi service support to and from Vashon Island.

Sec. 223. 2023 c 472 s 223 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING

Carbon Emissions Reduction Account—State	
Appropriation	\$2,250,000
Multimodal Transportation Account—State	
Appropriation	(\$90,565,000)
	\$83,043,000
Multimodal Transportation Account—Federal	
Appropriation	\$1,335,000
Multimodal Transportation Account—Private/Local	
Appropriation	\$46,000
TOTAL APPROPRIATION	(\$92,861,000)
	\$86,674,000

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

(1) The department shall continue to pursue restoring Amtrak Cascades service to pre-COVID service levels, and to the service levels committed to through the department's obligation of funding from the federal American recovery and reinvestment act. A status report must be provided to the transportation committees of the legislature and the office of financial management by September 1, 2023.

(2)(a) \$2,250,000 of the multimodal transportation account—state appropriation is provided solely for the continued coordination, engagement, and planning for a new ultra high-speed ground transportation corridor with participation from Washington state, Oregon state, and British Columbia, and is a reappropriation of funds appropriated in the 2021-2023 fiscal biennium. For purposes of this subsection, "ultra high-speed" means a maximum testing speed of at least 250 miles per hour. These efforts are to support and advance activities and must abide by the memorandum of understanding signed by the governors of Washington and Oregon states, and the premier of the province of British Columbia in November 2021. The department shall establish a policy committee with participation from Washington state, Oregon state, and British Columbia, including representation from the two largest caucuses of each chamber of the Washington state legislature, and coordinate the activities of the policy committee to include:

(i) Developing an organizational framework that facilitates input in decision-making from all parties;

(ii) Developing a public engagement approach with a focus on equity, inclusion, and meaningful engagement with communities, businesses, federal, state, provincial, and local governments including indigenous communities;

(iii) Developing and leading a collaborative approach to prepare and apply for potential future federal, state, and provincial funding opportunities, including development of strategies for incorporating private sector participation and private sector contributions to funding, including through the possible use of public-private partnerships;

(iv) Beginning work on scenario analysis addressing advanced transportation technologies, land use and growth assumptions, and an agreed to and defined corridor vision statement; and

(v) Developing a recommendation on the structure and

membership of a formal coordinating entity that will be responsible for advancing the project through the project initiation stage to project development and recommended next steps for establishment of the coordinating entity. Project development processes must include consideration of negative and positive impacts on communities of color, low-income households, indigenous peoples, and other disadvantaged communities.

(b) By June 30, 2024, the department shall provide to the governor and the transportation committees of the legislature a high-level status update that includes, but is not limited to, the status of the items included in (a)(i) through (v) of this subsection.

(c) By June 30, 2025, the department shall provide to the governor and the transportation committees of the legislature a report detailing the work conducted by the policy committee and recommendations for establishing a coordinating entity. The report must also include an assessment of current activities and results relating to stakeholder engagement, planning, and any federal funding application. As applicable, the assessment should also be sent to the executive and legislative branches of government in Oregon state and appropriate government bodies in the province of British Columbia.

~~((4) \$1,800,000 of the multimodal transportation account—state appropriation is provided solely for the department to pursue federal grant opportunities to develop and implement a technology-based truck parking availability system along the Interstate 5 Corridor in partnership with Oregon state and California state to maximize utilization of existing truck parking capacity and deliver real-time parking availability information to truck drivers. The department may use a portion of the appropriation in this subsection for grant proposal development and as state match funding for technology-based truck parking availability system federal grant applications. The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and to provide a final report to the transportation committees of the legislature by December 1, 2024.~~

~~(5) \$5,950,000 of the multimodal transportation account—state appropriation is provided solely for implementation of truck parking improvements recommended by the freight mobility strategic investment board in consultation with the department under section 206(4) of this act. The office of financial management must place this amount in unallotted status.)~~

(3) Consistent with the ongoing planning and service improvement for the intercity passenger rail program, \$335,000 of the multimodal transportation account—federal appropriation is provided solely for the Cascades service development plan, to be used to analyze current and future market conditions and to develop a structured assessment of service options and goals based on anticipated demand and the results of the state and federally required 2019 state rail plan, including identifying implementation alternatives to meet the future service goals for the Amtrak Cascades route. The work must be consistent with federal railroad administration guidance and direction on developing service development plans, and must be completed by June 30, 2024.

(4) The department shall continue to provide high quality intercity passenger rail service, align planning efforts for continued growth and on-time performance improvements consistent with federally recognized corridor development programs, and implement improvements consistent with planning efforts through leveraging federal funding opportunities. New passenger rail equipment is essential to service enhancements. The department shall make every effort to coordinate with service partners to prepare for the arrival of new trainsets and implementation of service enhancements. A status

report must be provided to the transportation committees of the legislature and the office of financial management by December 1, 2024.

(5) \$500,000 of the multimodal transportation account—federal appropriation is provided solely for the Cascades corridor planning as part of the corridor identification and development program, in coordination with the Oregon state department of transportation. The department must continue to pursue funding opportunities for the Cascades corridor through the corridor identification and development program and the federal-state partnership programs at the federal rail administration. The department must notify the office of the governor and the transportation committees of the legislature of funding opportunities from the programs and any corresponding state match needs.

(6) \$50,000 of the multimodal transportation account—state appropriation is provided solely for the department to coordinate with partners on Amtrak long distance rail service.

Sec. 224. 2023 c 472 s 224 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
LOCAL PROGRAMS—PROGRAM Z—OPERATING**

<u>Carbon Emissions Reduction Account—State</u>	
<u>Appropriation</u>	<u>\$275,000</u>
<u>Motor Vehicle Account—State Appropriation (((\$13,569,000))</u>	<u>\$14,282,000</u>
<u>Motor Vehicle Account—Federal Appropriation...</u>	<u>\$2,567,000</u>
<u>Multiuse Roadway Safety Account—State Appropriation</u>	<u>\$1,230,000</u>
<u>Multimodal Transportation Account—State</u>	
<u>Appropriation</u>	<u>(((\$1,450,000))</u>
	<u>\$2,000,000</u>
<u>TOTAL APPROPRIATION</u>	<u>(((\$18,816,000))</u>
	<u>\$20,354,000</u>

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

(1) \$500,000 of the motor vehicle account—state appropriation is provided solely for development, administration, program management, and evaluation of the federal fund exchange pilot program.

(2) \$1,063,000 of the motor vehicle account—state appropriation is provided solely for the department, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to:

(a) Contract with the department of fish and wildlife to identify, inventory, and prioritize county-owned fish passage barriers;

(b) Continue streamlining and updating the county road administration board's data dashboard, to provide a more detailed, more transparent, and user-friendly platform for data management, reporting, and research by the public and other interested parties;

(c) Commission a study to develop guidance for county public works departments conducting environmental justice assessments in their communities and recommend best practices for community engagement plans to address environmental health disparities for identified overburdened communities;

(d) Contract for a study to identify best practices within public works for the recruitment and retention of employees, including: Recommendations for improving outreach and recruitment to underrepresented populations, methods to partner with local community colleges and universities, methods to expand apprenticeship and internship programs, strategies to increase training and development opportunities, and recommendations for career advancement programs and better work-life balance outcomes;

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(e) Update the 2020 county transportation revenue study; and
 (f) By December 15, 2024, report to the office of financial management and the appropriate committees of the legislature the deliverables from and the amounts expended on the purposes enumerated in this subsection.

~~((5))~~ (4)(a) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the department to develop the preliminary phase of an action plan for the establishment of cycle highways in locations that connect population centers and support mode shift.

(b) The action plan may complement and incorporate existing resources, including the state trails database maintained by the recreation and conservation office, local and regional plans, and the state active transportation plan.

(c) The action plan may also include, but is not limited to:

(i) Recommended design; geometric and operational criteria and typologies appropriate to urban, suburban, and rural settings; settings that include shared use; and incremental approaches to achieve desired facility types;

(ii) A model or methodology to project potential demand and carrying capacity based on facility quality, level of traffic stress, location, directness, land use, and other key attributes;

(iii) Examination of the feasibility of developing high-capacity infrastructure for bicycle and micromobility device use within a variety of contexts and recommendations for pilot projects;

(iv) Identification of key gaps in regional networks, including planned and aspirational routes and locations within three miles of high-capacity transit or existing shared-use paths and trails suitable for transportation;

(v) Identification of legal, regulatory, financial, collaboration, and practical barriers to development and community acceptance and support of such facilities; and

(vi) Recommended strategies to consider and address issues to avoid unintended consequences such as displacement, and to ensure equity in long-term development of such facilities.

(d) The department must provide a report with its initial findings, and recommendations for next steps, to the transportation committees of the legislature by June 30, 2025.

~~((6) \$140,000 of the motor vehicle account—state appropriation is provided solely for the Pierce county ferry to eliminate fares for passengers 18 years of age and younger.~~

~~(7))~~ (5) \$750,000 of the multimodal transportation account—state appropriation is provided solely for a grant program to support local initiatives that expand or establish civilian intervention programs for nonmoving violations, focusing on nonpunitive interventions such as helmet voucher programs, fee offset programs, fix-it tickets, and repair vouchers that provide solutions for vehicle equipment failures for low-income road users.

(a) Grants must be awarded to local jurisdictions based on locally developed proposals to establish or expand existing programs, including programs with community led organizations. Eligible jurisdictions under the grant program include cities, counties, tribal government entities, tribal organizations, law enforcement agencies, or nonprofit organizations.

(b) The department shall report on its website by December 1st of each year on the recipients, locations, and types of projects funded under this subsection.

~~((8))~~ (6) \$146,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter 428, Laws of 2023 (Wahkiakum ferry). If chapter 428, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.

(7)(a) \$50,000 of the multimodal transportation account—state appropriation is provided solely for the department to examine the

feasibility of creating a new budget program for the active transportation division, including, but not limited to, examining:

(i) Estimated cost, new staffing needs, and time frame to establish the program;

(ii) A proposed budget structure, and whether both operating and capital components should be established; and

(iii) Identification of staff, capital projects, and other resources that would need to be transferred from other existing programs.

(b) By December 1, 2024, the department shall report examination findings and recommendations to the office of financial management and the transportation committees of the legislature.

(8) \$275,000 of the carbon emissions reduction account—state appropriation is provided solely to support Pierce, Skagit, Whatcom, and Wahkiakum county ferries with youth zero-fare policies.

(9) \$500,000 of the multimodal transportation account—state appropriation is provided solely for the city of Seattle department of transportation to create a digital conflict area awareness management program to provide machine-readable information for transportation operators, such as autonomous vehicle fleet operators, to be aware of conflict areas, such as emergency response zones, work zones, schools, pick up and drop off locations, and other areas where vulnerable road users may be present.

(a) Program work must include:

(i) The city of Seattle engaging with first responders and transportation management officials and other relevant stakeholders, to determine program implementation needs and processes; and

(ii) A feasibility study of implementing the program's mobility and curb data specifications to include, but not be limited to, necessary partners, data platforms, ability to integrate real-time 911 dispatch, emergency vehicles, work zones, and other areas to reduce conflicts for transportation operators of autonomous vehicle fleets on public roads and in the right-of-way.

(b) Program work must also be conducted in coordination and partnership with city of Seattle departments, the nonprofit steward of the program's mobility and curb data specifications, the Washington state department of transportation, and other entities potentially impacted by the implementation of the program.

(c) As feasible, the city of Seattle shall prepare an implementation pilot of the program to make a standardized data feed available publicly for transportation operator use.

(d) The city of Seattle must provide a report on any findings and recommendations of the program and any implementation needs and process mapping for use by other jurisdictions to the Washington state department of transportation and the transportation committees of the legislature by June 30, 2025.

(10) \$150,000 of the motor vehicle account—state appropriation is provided solely for the department to fund one full-time equivalent liaison position within the local program multiagency permit program. Within the amounts provided in this subsection, the department shall work to enhance its multiagency permit program capabilities, with an emphasis on multiagency agreements that streamline, prioritize, and expedite project-level and programmatic permits and approvals. The department shall review current multiagency permit program practices and provide a report with recommendations on the enhancement of the program to the transportation committees of the legislature by December 1, 2024.

TRANSPORTATION AGENCIES—CAPITAL

Sec. 301. 2023 c 472 s 301 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State Appropriation	((\$7,700,000))
	<u>\$7,888,000</u>

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

(1) ((~~\$7,700,000~~)) \$7,888,000 of the state patrol highway account—state appropriation is provided solely for the following projects:

- (a) \$250,000 is for emergency repairs;
- (b) \$2,000,000 is for roof replacements;
- (c) \$350,000 is for fuel tank decommissioning;
- (d) \$500,000 is for generator and electrical replacement;
- (e) \$500,000 is for the exterior envelope of the Yakima office;
- (f) \$2,000,000 is for energy efficiency projects;
- (g) \$1,000,000 is for pavement surface improvements;
- (h) \$300,000 is for fire alarm panel replacement;
- (i) \$188,000 is for repairs at the Bellevue district office;

(j) \$200,000 is for an academy master plan. As part of the academy master plan, the Washington state patrol must review and provide an analysis on the potential to colocate some training programs with other state agencies, including the department of corrections, the department fish and wildlife, the liquor and cannabis board, and the criminal justice training commission. The Washington state patrol must consult with the other state agencies to determine where cost efficiencies and mutually beneficial shared arrangements for training delivery could occur. The funding for this academy master plan is not a commitment to fund any components related to the expansion of the academy in the future;

((~~(k)~~)) (k) \$500,000 reappropriation is for the Tacoma district office generator replacement project; and

((~~(l)~~)) (l) \$100,000 reappropriation is for the energy improvement project at the SeaTac northbound facility.

(2) The Washington state patrol may transfer funds between projects specified in subsection (1) of this section to address cash flow requirements.

(3) If a project specified in subsection (1) of this section is completed for less than the amount provided, the remainder may be transferred to another project specified in subsection (1) of this section not to exceed the total appropriation provided in subsection (1) of this section after notifying the office of financial management and the transportation committees of the legislature 20 days before any transfer.

(4) By December 1, 2023, the Washington state patrol shall provide a report to the transportation committees of the legislature detailing utility incentives that will reduce the cost of heating, ventilating, and air conditioning systems funded in this section.

(5) By December 1, 2023, the Washington state patrol shall provide its capital improvement and preservation plan for agency facilities to the appropriate committees of the legislature.

Sec. 302. 2023 c 472 s 302 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Move Ahead WA Account—State Appropriation ..	\$9,333,000
Rural Arterial Trust Account—State Appropriation	((\$58,000,000))
	<u>\$62,487,000</u>
Motor Vehicle Account—State Appropriation	\$2,456,000
County Arterial Preservation Account—State	
Appropriation.....	\$35,500,000
TOTAL APPROPRIATION.....	((\$105,289,000))
	<u>\$109,776,000</u>

Sec. 303. 2023 c 472 s 304 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL

Connecting Washington Account—State Appropriation	\$3,000
Motor Vehicle Account—State Appropriation ((\$29,173,000))	<u>\$29,810,000</u>
Move Ahead WA Account—State Appropriation.	\$12,011,000
Multimodal Transportation Account—State	
Appropriation	\$1,200,000
TOTAL APPROPRIATION	((\$42,384,000))
	<u>\$43,024,000</u>

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

(1) \$4,025,000 of the motor vehicle account—state appropriation is provided solely for payments of a financing contract issued pursuant to chapter 39.94 RCW for the department facility located at 15700 Dayton Ave N in Shoreline. All payments from the department of ecology pursuant to the agreement with the department to pay a share of the financing contract for this facility must be deposited into the motor vehicle account.

(2)(a) \$10,011,000 of the move ahead WA account—state appropriation is provided solely for the department to improve its ability to keep facility assets in a state of good repair. In using the funds appropriated in this subsection, the department, with periodic reporting to the joint transportation committee, must develop and implement a prioritization of facility capital preservation needs and repair projects. The legislature intends these to be reasonable, forward-thinking investments that consider potential future space efficiency measures and consolidations, including those assessed as having high commercial value and potential returns to state transportation funds associated with the sale of the property. Prioritization must be based on, but not limited to, the following criteria: (i) Employee safety and facility security; (ii) state and federal regulatory and statutory requirements and compliance issues, including clean buildings requirements; (iii) quality of work issues; (iv) facility condition assessment evaluations and scoring; (v) asset preservation; and (vi) amount of operational support provided by the facility to the achievement of the department's performance measures and outcomes, including facility utilization based on field operations work supported at the location. "Field operations" include maintenance, transportation operations, materials testing, and construction.

(b) By October 15, 2024, covering the first 15 months of the 2023-2025 fiscal biennium, the department must provide a report based on the prioritization of facility preservation needs and repair projects developed pursuant to (a) of this subsection to the office of financial management and the transportation committees of the legislature. The report must include: (i) A by facility ranking based on the criteria implemented; (ii) detailed information on the actions taken in the previous period to address the identified issues and deficiencies; and (iii) the plan, by facility, to address issues and deficiencies for the remainder of the 2023-2025 fiscal biennium and the 2025-2027 fiscal biennium.

(c) The by facility ranking developed under (b) of this subsection must be the basis of an agency budget submittal for the 2025-2027 fiscal biennium.

(3)(a) \$1,200,000 of the multimodal transportation account—state appropriation is provided solely for the department to evaluate safety rest areas along Interstate 5 and Interstate 90 for potential truck parking expansion opportunities. The department shall also evaluate commercial vehicle inspection locations, in coordination with the Washington state patrol, for potential truck parking expansion opportunities.

(b) These evaluations must include assessments of

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opportunities to provide additional truck parking through rest stop and inspection location reconfiguration, expansion, and conversion, as well as evaluation of potential improvements to restroom facilities at weigh stations with truck parking. The department shall consider opportunities to expand rest stop footprints onto additional department-owned property, as well as opportunities to acquire property for rest stop expansion. Opportunities to convert a rest stop to a commercial vehicle-only rest stop must be considered if property is available to develop a new light-duty vehicle rest stop within a reasonable distance. The department shall include an evaluation of a potential truck parking site at John Hill Rest Area along the Interstate 90 corridor identified in the joint transportation committee's "Truck Parking Action Plan." Evaluations must include cost estimates for reconfiguration, expansion, and conversion, as well as other recommendations for the development of these sites.

(c) The department should consult with the federal highway administration, the Washington state patrol, the Washington trucking association, the freight mobility strategic investment board, and local communities.

(d) The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and to provide a final report to the transportation committees of the legislature by December 1, 2024.

(4) \$15,457,000 of the motor vehicle account—state appropriation is provided solely for making improvements to the department facility located at 11018 NE 51st Cir in Vancouver to meet the Washington state clean buildings performance standard.

(5)(a) \$4,100,000 of the move ahead WA account—state appropriation is provided solely for preliminary engineering and design associated with the demolition and replacement of the department's vehicle repair and parts building at 6431 Corson Avenue South in Seattle. The department must include any requested construction costs of the facility as a separate project as part of its agency budget submittal for the 2025-2027 fiscal biennium utilizing form C-100 for capital projects. The design information must also include detailed information on square footage, components of the facility, and cost comparisons with similar maintenance facilities.

(b) By September 1, 2024, the office of financial management, in consultation with the department, must develop criteria for preservation and improvement minor works lists for the department's facilities program. The criteria must incorporate, adjusted where appropriate, provisions already in use in the omnibus capital budget act for minor works, including: (i) The dollar limitation for each project to be included in the list; (ii) the types of projects appropriate to be included in the list; (iii) the project length limitation appropriate to be included in the list; and (iv) a recommended initial allotment, revision request approval, and revision notification process associated with the list. The criteria must be the basis of the preservation and improvement minor works list included in the agency budget submittal beginning with the 2025-2027 fiscal biennium.

(c) By September 1, 2024, the office of financial management, in consultation with the department, must also develop criteria for providing building related capital requests in a comparable format, adjusted where appropriate, to provisions already in use in the omnibus capital appropriations act for building projects, including the C-100 capital request form and other detail requirements for omnibus capital appropriations act building submissions.

Sec. 304. 2023 c 472 s 305 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I

Alaskan Way Viaduct Replacement Project Account—	
State Appropriation	\$23,794,000
Climate Active Transportation Account—State	
Appropriation	\$2,000,000
Move Ahead WA Account—Private/Local Appropriation	
.....	\$137,500,000
State Route Number 520 Civil Penalties Account—State	
Appropriation	\$10,000,000
Transportation 2003 Account (Nickel Account)—State	
Appropriation	(\$317,000)
	\$634,000
Transportation Partnership Account—State	
Appropriation	(\$32,643,000)
	\$46,899,000
Motor Vehicle Account—State Appropriation	(\$80,524,000)
	\$100,366,000
Motor Vehicle Account—Federal Appropriation	
.....	(\$445,933,000)
	\$480,282,000
Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation	(\$300,000,000)
	\$337,144,000
Motor Vehicle Account—Private/Local Appropriation	
.....	(\$52,530,000)
	\$74,115,000
Connecting Washington Account—State Appropriation	
.....	(\$2,143,116,000)
	\$1,960,374,000
Special Category C Account—State Appropriation	
.....	(\$133,749,000)
	\$143,917,000
Multimodal Transportation Account—State	
Appropriation	(\$5,915,000)
	\$14,311,000
Multimodal Transportation Account—Federal	
Appropriation	\$12,287,000
State Route Number 520 Corridor Account—State	
Appropriation	(\$400,000)
	\$500,000
Interstate 405 and State Route Number 167 Express	
Toll Lanes Account—State Appropriation	(\$304,480,000)
	\$319,464,000
Move Ahead WA Account—State Appropriation	
.....	(\$590,313,000)
	\$737,961,000
Move Ahead WA Account—Federal Appropriation	
.....	(\$340,300,000)
	\$373,155,000
JUDY Transportation Future Funding Program Account—	
State	
Appropriation	\$52,000,000
Model Toxics Control Stormwater Account—State	
.....	\$15,000,000
TOTAL APPROPRIATION	(\$4,593,514,000)
	\$4,841,703,000

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

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2023-4) 2024-1 as developed ((April 21, 2023)) March 6, 2024,

Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 (~~(of this act)~~), chapter 472, Laws of 2023.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) March 6, 2024, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The connecting Washington account—state appropriation includes up to (~~(\$1,737,009,000)~~) \$1,332,926,000 in proceeds from the sale of bonds authorized in RCW 47.10.889.

(5) The special category C account—state appropriation includes up to (~~(\$118,773,000)~~) \$111,106,000 in proceeds from the sale of bonds authorized in RCW 47.10.812.

(6) The transportation partnership account—state appropriation includes up to (~~(\$32,643,000)~~) \$46,899,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(7) The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an (~~allotment~~) appropriation modification, reductions in the amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:

(a) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific purpose are not expected to be used for that purpose in this fiscal biennium;

(b) (~~Allotment~~) Appropriation modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2023-2025 fiscal biennium in LEAP Transportation Document (~~(2023-2)~~) 2024-2 ALL PROJECTS as developed (~~(April 21, 2023)~~) March 6, 2024;

(c) (~~Allotment~~) Appropriation modifications authorized under this subsection apply only to amounts appropriated in this section from the following accounts: Connecting Washington account—state, and move ahead WA account—state; and

(d) The office of financial management must provide notice of (~~allotment~~) appropriation modifications authorized under this subsection within 10 working days to the transportation committees of the legislature. By December 1, 2023, and

December 1, 2024, the department must submit a report to the transportation committees of the legislature regarding the actions taken to date under this subsection.

(8) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's annual budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(9) The legislature continues to prioritize the replacement of the state's aging infrastructure and recognizes the importance of reusing and recycling construction aggregate and recycled concrete materials in our transportation system. To accomplish Washington state's sustainability goals in transportation and in accordance with RCW 70A.205.700, the legislature reaffirms its determination that recycled concrete aggregate and other transportation building materials are natural resource construction materials that are too valuable to be wasted and landfilled, and are a commodity as defined in WAC 173-350-100.

(10) By June 30, 2025, to the extent practicable, the department shall decommission the facilities for the Lacey project engineering office and the Tumwater project engineering office at the end of their lease terms and consolidate the Lacey project engineering office and the Tumwater project engineering office into the department's Olympic regional headquarters.

(11) The legislature intends that any savings realized on the following projects will not be attributable to the application of practical design, retired risk, or unused contingency funding for the purposes of RCW 47.01.480:

- (a) I-5/Marvin Road/SR 510 Interchange (L1100110); and
- (b) I-82/EB WB On and Off Ramps (L2000123).

(12)(a) (~~(\$300,000,000)~~) \$337,114,000 of the coronavirus state fiscal recovery fund—federal appropriation, (~~(\$312,653,000)~~) \$110,439,000 of the motor vehicle account—federal appropriation, (~~(\$427,459,000)~~) \$576,827,000 of the move ahead WA account—state appropriation, and (~~(\$1,293,000)~~) \$8,329,000 of the motor vehicle account—state appropriation are provided solely for the Fish Passage Barrier Removal project (OBI4001) with the intent of fully complying with the federal *U.S. v. Washington* court injunction by 2030.

(b) The fish passage barrier removal program, in consultation with the office of innovative partnerships, shall explore opportunities to employ innovative delivery methods to ensure compliance with the court injunction including, but not limited to, public-private partnerships and batched contracts. It is the intent of the legislature that appropriations for this purpose may be used to jointly leverage state and local funds for match requirements in applying for competitive federal aid grants provided in the infrastructure investment and jobs act for removals of fish passage barriers under the national culvert removal, replacement, and restoration program. State funds used for the purpose described in this subsection must not compromise full compliance with the court injunction by 2030.

(c) The department shall coordinate with the Brian Abbott fish passage barrier removal board to use a watershed approach by replacing both state and local culverts guided by the principle of providing the greatest fish habitat gain at the earliest time. The department shall deliver high habitat value fish passage barrier corrections that it has identified, guided by the following factors: Opportunity to bundle projects, tribal priorities, ability to leverage investments by others, presence of other barriers, project readiness, culvert conditions, other transportation projects in the area, and transportation impacts. The department and Brian Abbott fish barrier removal board must provide updates on the implementation of the statewide culvert remediation plan to the legislature by November 1, 2023, and June 1, 2024.

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(d) The department must keep track of, for each barrier removed: (i) The location; (ii) the amount of fish habitat gain; and (iii) the amount spent to comply with the injunction.

(e) During the 2023-2025 fiscal biennium, the department shall provide reports of the amounts of federal funding received for this project to the governor and transportation committees of the legislature by November 1, 2023, and semiannually thereafter.

(13)(a) (~~(\$6,000,000 of the move ahead WA account—state appropriation)~~) \$15,000,000 of the model toxics control stormwater account—state appropriation is provided solely for the Stormwater Retrofits and Improvements project (L4000040). It is the intent of the legislature, over the 16-year move ahead WA investment program, to provide \$500,000,000 for this program.

(b) (~~(The appropriation in this subsection)~~) Of the amounts provided in this subsection, \$6,000,000 is provided solely for the Urban Stormwater Partnership - I-5 Ship-Canal Bridge Pilot (Seattle) project.

(c) The funding provided for stormwater retrofits and improvements must enhance stormwater runoff treatment from existing roads and infrastructure with an emphasis on green infrastructure retrofits. Projects must be prioritized based on benefits to salmon recovery and ecosystem health, reducing toxic pollution, addressing health disparities, and cost-effectiveness. The department of transportation must submit progress reports on its efforts to reduce the toxicity of stormwater runoff from existing infrastructure, recommendations for addressing barriers to innovative solutions, and anticipated demand for funding each fiscal biennium.

(14)(a) (~~(\$35,465,000)~~) \$25,067,000 of the connecting Washington account—state appropriation is provided solely for the SR 3 Freight Corridor (T30400R) project. The legislature intends to provide a total of \$78,910,000 for this project, including an increase of \$12,000,000 in future biennia to safeguard against inflation and supply/labor interruptions and ensure that:

(i) The northern terminus remains at Lake Flora Road and the southern terminus at the intersection of SR 3/SR 302; and

(ii) Multimodal safety improvements at the southern terminus remain in the project to provide connections to North Mason school district and provide safe routes to schools (~~and~~

~~(iii) Intersections on the freight corridor are constructed at Romance Hill and Log Yard road).~~

(b) With respect to right-of-way acquisition and the construction of the SR 3 Freight Corridor project (T30400R), tribal consultation with the Suquamish tribe shall begin at the earliest stage of planning, including without limitation on all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required under state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish tribe. Regularly scheduled tribal consultation meetings with the Suquamish tribe shall continue throughout the duration of any funding or program decisions and proposed project approval.

(15) \$6,000,000 of the move ahead WA account—state appropriation and \$10,000,000 of the move ahead WA account—federal appropriation are provided solely for the SR 3/Gorst Area

- Widening project (L4000017). Tribal consultation with the Suquamish tribe must begin at the earliest stage of planning, including, without limitation, all funding decisions and funding programs, to provide a government-to-government mechanism for the tribe to evaluate, identify, and expressly notify governmental entities of any potential impacts to tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which the tribe possesses rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required under state law, or by a state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from the Suquamish tribe. Regularly scheduled tribal consultation meetings with the Suquamish tribe must continue throughout the duration of any funding program and proposed project approval.

(16)(a) (~~(\$84,500,000)~~) \$94,500,000 of the move ahead WA account—federal appropriation, \$137,500,000 of the move ahead WA account—private/local appropriation, and (~~(\$53,000,000)~~) \$43,000,000 of the move ahead WA account—state appropriation are provided solely for the I-5 Columbia river bridge project (L4000054). The legislature finds that the replacement of the I-5 Columbia river bridge is a project of national significance and is critical for the movement of freight. One span is now 105 years old, at risk for collapse in the event of a major earthquake, and no longer satisfies the needs of commerce and travel. Replacing the aging interstate bridge with a modern, seismically resilient, multimodal structure that provides improved mobility for people, goods, and services is a high priority. Therefore, the legislature intends to support the replacement of the I-5 Columbia river bridge with an investment of \$1,000,000,000 over the 16-year move ahead WA investment program.

(b) The legislature recognizes the importance of the I-5/Mill Plain Boulevard project (L2000099) and intends to provide funding for reconstruction of the existing interchange in coordination with construction of the Interstate 5 bridge over the Columbia river.

(c) The department shall provide regular updates on the status of ongoing coordination with the state of Oregon on any bistate agreements regarding sharing of revenues, use of revenues, and fiscal responsibilities of each state. Prior to finalizing any such agreement, the department shall provide a draft of the agreement to the transportation committees of the legislature for review and input. Additionally, the department shall advise on the status of any bistate agreements to the joint transportation committee beginning in September 2023 and quarterly thereafter until any agreements are finalized.

(17) The legislature recognizes the importance of the US-12/Walla Walla Corridor Improvements project (T20900R) and intends to advance funding to provide matching funds if competitive federal funding is awarded for the final remaining four-lane section between Wallula and Nine Mile Hill. The department, in consultation with local governments in the vicinity, must pursue any federal funding available.

(18) \$2,642,000 of the move ahead WA account—state appropriation is provided solely for the US 101/Simdars Bypass project (L4000013).

(19) (~~(\$570,842,000)~~) \$338,512,000 of the connecting Washington account—state appropriation, (~~(\$155,000)~~) \$3,109,000 of the multimodal transportation account—state appropriation, (~~(\$26,537,000)~~) \$27,201,000 of the motor vehicle account—private/local appropriation, (~~(\$200,800,000)~~) \$178,543,000 of the move ahead WA account—federal

appropriation, ~~(((\$68,191,000))~~ \$36,370,000 of the move ahead WA account—state appropriation, and ~~(((\$6,980,000))~~ \$211,131,000 of the motor vehicle account—federal appropriation are provided solely for the SR 167/SR 509 Puget Sound Gateway project (M00600R).

(a) Any savings on the project must stay on the Puget Sound Gateway corridor until the project is complete.

(b) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall continue to collaborate with the affected stakeholders as it implements the corridor construction and implementation plan for state route number 167 and state route number 509. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(c) The entire multimodal transportation account—state appropriation in this subsection is for:

(i) The design phase of the Puyallup to Tacoma multiuse trail along the state route number 167 right-of-way acquired for the project to connect a network of new and existing trails from Mount Rainier to Point Defiance Park; and

(ii) Segment 2 of the state route number 167 completion project shared-use path to provide connections to the interchange of state route number 167 at 54th to the intersection of state route number 509 and Taylor Way in Tacoma.

(20) \$2,213,000 of the motor vehicle account—state appropriation and \$14,012,000 of the connecting Washington account—state appropriation are provided solely for the SR 224/Red Mountain Vicinity Improvement project (L1000291). The department shall provide funding to the city of West Richland to complete the project within the project scope identified by the legislature and within the total amount provided by the legislature. The department shall not amend the project's scope of work to add pavement preservation on state route number 224 from the West Richland city limits to Antinori Road.

~~(((\$394,963,000))~~ (21) \$409,667,000 of the connecting Washington account—state appropriation, ~~(((\$400,000))~~ \$500,000 of the state route number 520 corridor account—state appropriation, \$10,000,000 of the state route number 520 civil penalties account—state appropriation, \$52,000,000 of the JUDY transportation future funding program account—state appropriation, and ~~(((\$4,496,000))~~ \$5,592,000 of the motor vehicle account—private/local appropriation are provided solely for the SR 520 Seattle Corridor Improvements - West End project (M00400R) and are subject to the following conditions and limitations:

(a) The department shall immediately proceed with awarding the bid for the Portage Bay Bridge and Roanoke Lid project to the team that submitted the proposal with the apparent best value in September 2023. Consistent with negotiated timelines, the legislature expects the award to be made by March 15, 2024, and assumes that the department shall expedite executing the contract with the awarded team. Once the contract is executed for this project, the department shall seek consequential cost reduction opportunities through value engineering and prioritizing functionality and usability of the Portage Bay Bridge and Roanoke Lid. The department shall report on the status of the project and cost reduction efforts to the transportation committees of the legislature by December 15, 2024.

(b) Upon completion of the Montlake Phase of the West End project ~~((current anticipated contract completion of 2023)),~~ the department shall sell or transfer that portion of the property not ~~((used))~~ necessary for ~~((permanent))~~ transportation

~~((improvements))~~ purposes, and shall initiate a process to convey ~~((that))~~ or transfer such portion of the surplus property to a subsequent owner.

(c) Of the amounts provided in this subsection, ~~(((\$400,000))~~ \$500,000 of the state route number 520 corridor account—state appropriation is provided solely for noise mitigation activities. It is the intent of the legislature to provide an additional \$600,000 for noise mitigation activities.

(d) Pursuant to chapter . . . (Substitute Senate Bill No. 6316), Laws of 2024, the department shall apply for a sales tax deferral for construction work on the SR 520 Seattle Corridor Improvements - West End project (M00400R).

~~(((\$21))~~ (22) \$450,000 of the motor vehicle account—state appropriation is provided solely for the SR 900 Safety Improvements project (L2021118). The department must: (a) Work in collaboration with King county and the Skyway coalition to align community assets, transportation infrastructure needs, and initial design for safety improvements along state route number 900; and (b) work with the Skyway coalition to lead community planning engagement and active transportation activities.

~~(((\$22-\$25,000,000))~~ (23) \$7,500,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state, and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. ~~(((\$22,500,000))~~ \$7,125,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

~~(((\$23-\$5,000,000))~~ (24) \$9,593,000 of the motor vehicle account—state appropriation, ~~(((\$5,000,000))~~ \$552,000 of the connecting Washington account—state appropriation, and ~~(((\$5,000,000))~~ \$209,000 of the move ahead WA account—state appropriation are provided solely for the SR 522/Paradise Lk Rd Interchange & Widening on SR 522 (Design/Engineering) project (NPARADI), specifically for design of, preliminary engineering, and right-of-way acquisition for the interchange and widening as a single project. The department must consider reserving portions of state route number 522, including designated lanes or ramps, for the exclusive or preferential use of public transportation vehicles, privately owned buses, motorcycles, private motor vehicles carrying not less than a specified number of passengers, or private transportation provider vehicles pursuant to RCW 47.52.025.

(25) Prior to initiating new advertisements or requests for qualifications for the following projects: SR 9/Marsh Road to 2nd Street Vicinity (N00900R), SR 526 Corridor Improvements

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(N52600R), US 395 North Spokane Corridor (M00800R), and SR 18 - Widening - Issaquah/Hobart Rd to Raging River - Phase 1 (L1000199), the capital projects advisory review board shall review the planned procurement methods for these projects. The board shall provide recommendations on procurement methods to the office of financial management, the department, and the transportation committees of the legislature for project L1000199 by July 1, 2024, and projects N52600R, N00900R, and M00800R by December 1, 2024. After the board provides recommendations, the department may initiate new advertisements and requests for qualifications, incorporating the recommendations as appropriate.

The department shall structure the advertisements, requests for qualifications, and requests for proposals, for projects referenced in this subsection, in a manner that provides a high degree of certainty that bids come in as expected according to engineer estimates made through the cost estimate valuation process. The department may request bid offers with alternatives for components of a larger project so that the department may present to the legislature modified options for projects to minimize project delays and stay within appropriated funding resources. If alternatives provided are at or below the engineer estimates, the department may proceed with the project award.

If bid proposals exceed engineer estimates by more than five percent or \$10,000,000, the department shall report this information to the transportation committees of the legislature within two weeks of receiving the bid proposals, and pause award and contract execution.

(26) \$750,000 of the motor vehicle account—state appropriation is provided solely for the Grady Way Overpass at Rainier Avenue South I-405 BRT Access study (L1000333).

(27) \$1,804,000 of the connecting Washington account—state appropriation is provided solely for the SR 164 East Auburn Access project (L1000120). The department must work with the Muckleshoot tribe to deliver the project.

(28) \$250,000 of the motor vehicle account—state appropriation is provided solely for preliminary engineering of the SR 14/Camas Slough Bridge project (L1000352). Funds may be used for predesign environmental assessment work, community engagement, design, and project cost estimation.

(29) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for matching funds for the department to apply to the federal highway administration's wildlife crossings pilot program, in the 2024 grant application cycle, for wildlife crossing underpasses on U.S. 97 between Tonasket and Riverside.

(30) \$1,800,000 of the multimodal transportation account—state appropriation and \$12,287,000 of the multimodal transportation account—federal appropriation are provided solely for the department to develop and implement a technology-based truck parking availability system along the Interstate 5 corridor in partnership with Oregon state and California state to maximize utilization of existing truck parking capacity and deliver real-time parking availability information to truck drivers (L1000375). The department may use a portion of the appropriation in this subsection for grant proposal development and as state match funding for technology-based truck parking availability system federal grant applications. The department must update the transportation committees of the legislature on agency activities and their status by December 1, 2023, and provide a final report to the transportation committees of the legislature by December 1, 2024.

(31) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for the design on the I-5 Fort Lewis weigh station and SR 906 Phase 3 truck parking

improvements (L1000377).

(32) The legislature intends to provide \$4,950,000 in the 2025-2027 fiscal biennium for additional truck parking improvements (L1000376). As part of the department's 2025-2027 budget submittal, the department and the freight mobility strategic investment board, after consulting with appropriate entities, must provide a list of specific truck parking solutions within the amounts provided in this subsection (32). The list may also include additional funding recommendations beyond this amount for more immediate expansion of truck parking capacity, as well as for long-term expansion of truck parking capacity.

Sec. 305. 2023 c 472 s 306 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION— PRESERVATION—PROGRAM P

Move Ahead WA Account—State	Appropriation	.....	(\$13,291,000)
			\$105,219,000
Recreational Vehicle Account—State	Appropriation	.....	(\$793,000)
			\$769,000
Transportation 2003 Account (Nickel Account)—State	Appropriation	.....	(\$48,759,000)
			\$70,411,000
Motor Vehicle Account—State	Appropriation	.....	(\$135,073,000)
			\$154,960,000
Motor Vehicle Account—Federal	Appropriation	.....	(\$534,350,000)
			\$560,102,000
Motor Vehicle Account—Private/Local	Appropriation	.....	(\$12,000,000)
			\$17,010,000
Connecting Washington Account—State	Appropriation	.....	(\$37,078,000)
			\$48,726,000
State Route Number 520 Corridor Account—State	Appropriation	.....	(\$5,481,000)
			\$7,434,000
Tacoma Narrows Toll Bridge Account—State	Appropriation	.....	(\$10,892,000)
			\$12,202,000
Alaskan Way Viaduct Replacement Project Account—	State Appropriation	.....	(\$12,000)
			\$1,662,000
Interstate 405 and State Route Number 167 Express	Toll Lanes Account—State Appropriation	.....	(\$27,026,000)
			\$15,183,000
Transportation Partnership Account—State	Appropriation	.....	(\$10,000,000)
			\$12,036,000
TOTAL APPROPRIATION		.....	(\$834,755,000)
			\$1,005,714,000

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

(1) Except as provided otherwise in this section, the entire connecting Washington account—state appropriation, the entire move ahead WA account—federal appropriation, the entire move ahead WA account—state appropriation, and the entire transportation partnership account—state appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2023-4) 2024-1 as developed ((April 21, 2023)) March 6, 2024, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur

between projects for those amounts listed subject to the conditions and limitations in section 601 (~~of this act~~), chapter 472, Laws of 2023.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 24, 2023))~~ March 6, 2024, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, or the federal funds redistribution process must then be applied to highway and bridge preservation activities.

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer appropriation authority between programs I and P, except for appropriation authority that is otherwise restricted in this act, as follows:

(a) Ten days prior to any transfer, the department must submit its request to the office of financial management and the transportation committees of the legislature and consider any concerns raised.

(b) The director of the office of financial management must first provide written authorization for such transfer to the department and the transportation committees of the legislature.

(c) The department shall submit a report on appropriation authority transferred in the prior fiscal year using this subsection as part of the department's annual budget submittal.

(4) The transportation partnership account—state appropriation includes up to ~~((10,000,000))~~ \$3,280,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(5) \$22,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund (L2000290). The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute mitigation activities have been exhausted.

(6) Within the connecting Washington account—state appropriation, the department may transfer funds from Highway System Preservation (L1100071) to other preservation projects listed in the LEAP transportation document identified in subsection (1) of this section, if it is determined necessary for completion of these high priority preservation projects. The department's next budget submittal after using this subsection must appropriately reflect the transfer.

(7) By June 30, 2025, to the extent practicable, the department shall decommission the facilities for the Lacey project engineering office and the Tumwater project engineering office at the end of their lease terms and consolidate the Lacey project engineering office and the Tumwater project engineering office into the department's Olympic regional headquarters.

(8) The appropriations in this section include funding for starting planning, engineering, and construction of the Elwha River bridge replacement. To the greatest extent practicable, the department shall maintain public access on the existing route.

(9) ~~((25,000,000))~~ \$7,500,000 of the motor vehicle account—federal appropriation is provided solely for a federal fund exchange pilot program. The pilot program must allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The projects receiving the exchanged

federal funds must adhere to all federal requirements, including the applicable disadvantaged business enterprise goals. The entirety of the appropriation in this subsection must be held in unallotted status until surface transportation block grant population funding has been offered to the state and the department determines that a federalized project or projects funded in this section is eligible to spend the surface transportation block grant population funding. ~~((22,500,000))~~ \$7,125,000 from existing state appropriations identified elsewhere within this section are available to be used as part of the exchange. Upon determination that a project or projects funded in this section is eligible to spend the offered surface transportation block grant population funding, state funds appropriated in this section for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding must be placed in unallotted status. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

(10) \$21,000 of motor vehicle account—state appropriation is provided solely for the implementation of chapter 54, Laws of 2023 (bridge jumping signs) (G2000114). ~~((If chapter 54, Laws of 2023 is not enacted by June 30, 2023, the amount provided in this subsection lapses.))~~

(11) \$4,319,000 of the move ahead Washington account—state appropriation is provided solely for SR 525 Bridge Replacement - Mukilteo (L2021084). Of the amounts in this subsection, \$155,000 must be transferred to the city of Mukilteo for purposes of community planning and business engagement.

Sec. 306. 2023 c 472 s 307 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION OPERATIONS—PROGRAM Q—
CAPITAL**

Motor Vehicle Account—State Appropriation..	((9,738,000))
	\$10,606,000
Motor Vehicle Account—Federal Appropriation	
.....	((5,100,000))
	\$12,226,000
Motor Vehicle Account—Private/Local Appropriation	
.....	\$500,000
<u>Move Ahead WA Account—State Appropriation.....</u>	<u>\$611,000</u>
TOTAL APPROPRIATION	((15,338,000))
	<u>\$23,943,000</u>

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

(1) ~~((4,918,000))~~ \$5,547,000 of the motor vehicle account—state appropriation ~~((is))~~, \$8,830,000 of the motor vehicle account—federal appropriation, and \$500,000 of the motor vehicle account—private/local appropriation are provided solely for Programmatic Investment for Traffic Operations Capital projects (000005Q). By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all traffic operations capital project investments completed in the prior fiscal biennium.

(2) \$3,080,000 of the motor vehicle account—state appropriation is provided solely to construct pedestrian signals at nine locations on state route number 7 from 124th Street South to 189th Street South (0000YYY).

(3) \$1,463,000 of the motor vehicle account—state appropriation is provided solely for the replacement of 22 existing traffic cameras and installation of 10 new traffic cameras, including five pole installation sites, on the Interstate 90 corridor between mileposts 34 and 82 (L2021144). The department shall

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consult with news media organizations to explore options to allow such organizations access to traffic camera feeds.

Sec. 307. 2023 c 472 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION— WASHINGTON STATE FERRIES CONSTRUCTION— PROGRAM W

Carbon Emissions Reduction Account—State	
Appropriation.....	(\$74,027,000)
	<u>\$116,021,000</u>
Move Ahead WA Account—State	
Appropriation.....	(\$17,114,000)
	<u>\$49,828,000</u>
Puget Sound Capital Construction Account—State	
Appropriation.....	(\$341,969,000)
	<u>\$388,304,000</u>
Puget Sound Capital Construction Account—Federal	
Appropriation.....	(\$33,698,000)
	<u>\$87,047,000</u>
Puget Sound Capital Construction Account—	
Private/Local Appropriation	(\$1,081,000)
	<u>\$2,150,000</u>
<u>Transportation 2003 Account (Nickel Account)—State</u>	
<u>Appropriation.....</u>	<u>\$472,000</u>
Transportation Partnership Account—State	
Appropriation.....	(\$7,442,000)
	<u>\$9,705,000</u>
Connecting Washington Account—State	
Appropriation.....	(\$10,809,000)
	<u>\$21,883,000</u>
Capital Vessel Replacement Account—State	
Appropriation.....	(\$46,818,000)
	<u>\$21,688,000</u>
TOTAL APPROPRIATION.....	(\$532,958,000)
	<u>\$697,098,000</u>

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document (~~2023-2~~) 2024-2 ALL PROJECTS as developed (~~April 21, 2023~~) March 6, 2024, Program - Washington State Ferries Capital Program (W).

(2) (~~(\$5,000,000)~~) \$24,260,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(3) (~~(\$46,818,000)~~) \$21,688,000 of the capital vessel replacement account—state appropriation is provided solely for the acquisition of a 144-car hybrid-electric vessel (L2000329). The amounts provided in this subsection are contingent upon the enactment of chapter 429, Laws of 2023.

(4) (~~The legislature intends that funding will be provided in the 2025-2027 fiscal biennium~~) Beginning January 1, 2025, \$11,554,000 of the carbon emissions reduction account—state appropriation is provided solely for construction of the first hybrid electric Olympic class vessel (L2000329).

(5) \$1,500,000 of the Puget Sound capital construction account—state appropriation is provided solely for the Future Hybrid Electric Ferry Class Pre-Design study (L2021131) to advance procurement of a new class of vessel that will account for changes in technology, staffing, and system needs. The department shall initiate a vessel predesign to replace the aging Issaquah class ferries with a new automobile hybrid electric ferry intended to operate on the Vashon Southworth-Fauntleroy route.

The (~~legislature intends that part of the~~) predesign study must include a review of the benefits and costs of constructing all future new vessels based on the same design. The review may also compare and contrast the benefits and costs of (~~a 144-vehicle capacity vessel with a 124-vehicle capacity vessel~~) utilizing the existing hybrid electric Olympic class vessel design.

(~~(\$)~~) (6) \$8,032,000 of the Puget Sound capital construction account—state appropriation is provided solely for modernization of the ticketing and reservation system (990052C). Of this amount, \$3,032,000 must be held in unallotted status until Washington state ferries has consulted with the office of the chief information officer on the project scope and integration capabilities of the reservation system with existing Good to Go! and ORCA next generation products, and reported results to the office of financial management and the transportation committees of the legislature.

(~~(\$)~~) (7) \$125,000 of the Puget Sound capital construction account—state appropriation and \$125,000 of the Puget sound capital construction account—federal appropriation are provided solely for development of a terminal wait times information system (998609A). Washington state ferries must consult with the office of the chief information officer on a technology solution for automated vehicle detection, and report the project scope, along with office of the chief information officer recommendations, to the office of financial management and the transportation committees of the legislature by December 1, 2024.

(~~(\$)~~) (8) The transportation partnership account—state appropriation includes up to \$7,195,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(~~(\$)~~) (9) For the purposes of ferry and terminal electrification, the department must apply to the department of ecology for additional competitive grant funds available from Volkswagen settlement funds, and report on the status of the grant application by December 1, 2023.

(~~(\$)~~) (10) For the 2023-2025 fiscal biennium, the marine division shall provide to the office of financial management and the transportation committees of the legislature a report for ferry capital projects in a manner consistent with past practices as specified in section 308, chapter 186, Laws of 2022.

(11) Beginning January 1, 2025, \$6,175,000 of the carbon emissions reduction account—state appropriation is provided solely for construction of hybrid electric vessels (L2021073).

(12) Beginning January 1, 2025, \$24,265,000 of the carbon emissions reduction account—state appropriation is provided solely for terminal electrification (L1000341).

Sec. 308. 2023 c 472 s 309 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION— RAIL—PROGRAM Y—CAPITAL

Carbon Emissions Reduction Account—State	
Appropriation	(\$104,300,000)
	<u>\$114,800,000</u>
Essential Rail Assistance Account—State	
Appropriation	(\$676,000)
	<u>\$1,412,000</u>
<u>Motor Vehicle Account—State Appropriation.....</u>	<u>\$697,000</u>
<u>Move Ahead WA Account—State Appropriation..</u>	<u>\$1,500,000</u>
<u>Move Ahead WA Flexible Account—State Appropriation</u>	
.....	(\$35,000,000)
	<u>\$33,500,000</u>
<u>Multimodal Transportation Account—Private/Local</u>	
<u>Appropriation</u>	<u>\$12,000</u>
<u>Transportation Infrastructure Account—State</u>	
<u>Appropriation</u>	(\$10,369,000)
	<u>\$16,621,000</u>

Multimodal Transportation Account—State	
Appropriation.....	(\$63,334,000)
	<u>\$101,403,000</u>
Multimodal Transportation Account—Federal	
Appropriation.....	(\$18,882,000)
	<u>\$25,903,000</u>
TOTAL APPROPRIATION.....	(\$232,561,000)
	<u>\$295,848,000</u>

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ March 6, 2024, Program - Rail Program (Y).

(2)(a) ~~(\$2,030,000)~~ \$2,680,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than 15 years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

~~(b) (\$7,970,000 of the transportation infrastructure account—state appropriation is provided solely for new FRIB program loans recommended by the department for 2024 supplemental transportation appropriations. The department shall submit a prioritized list for any loans recommended to the office of financial management and the transportation committees of the legislature by November 15, 2023.~~

~~(e))~~ The department may change the terms of existing loans in the essential rail assistance account for repayment of loans, including the repayment schedule and rate of interest, for a period of up to 15 years for any recipient with a total loan value in the program of over 10 percent as of June 30, 2023.

~~(3) \$5,000,000 of the transportation infrastructure account—state appropriation is provided solely for a low-interest loan for the Port of Longview Rail Corridor Expansion project (L1000347) to accommodate current and future port cargo-handling needs. The low-interest loan must comply with the requirements of RCW 47.76.460(2).~~

~~(4) (\$7,566,836)~~ \$7,567,000 of the multimodal transportation account—state appropriation is provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

~~((44))~~ (5) \$369,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely for final reimbursement to Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects.

~~((5))~~ (6) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2024, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

~~((6) \$50,000,000)~~ (7) \$25,000,000 of the carbon emissions reduction account—state appropriation is provided solely for

state match contributions to support the department's application for federal grant opportunities for a new ultra high-speed ground transportation corridor. These funds are to remain in unallotted status and are available only upon award of federal funds. The department must provide periodic grant application updates to the transportation committees of the legislature, as well as anticipated state match estimates for successful grants.

~~((7))~~ (8) \$33,500,000 of the move ahead WA flexible account—state appropriation is provided solely for rehabilitation of the Palouse River and Coulee City Railroad (L4000079). Up to \$433,000 of the amount in this subsection may be used for management and oversight of operation and maintenance activities.

~~((8) \$15,000,000)~~ (9) \$19,990,000 of the multimodal transportation account—federal appropriation is provided solely for the rehabilitation of the Salmon Bay drawbridge (752010A) to ensure the efficient movement of freight and passenger trains.

~~((9))~~ (10) \$6,300,000 of the carbon emissions reduction account—state appropriation is provided solely to fund a zero emission drayage truck demonstration project (L1000324) at Northwest Seaport Alliance facilities.

~~((10))~~ (11) \$14,000,000 of the carbon emissions reduction account—state appropriation ~~((is)), and beginning January 1, 2025, \$14,000,000 of the carbon emissions reduction account—state appropriation, are~~ provided solely to fund a zero emission shore power infrastructure demonstration project at Northwest Seaport Alliance facilities (L1000325). Local funds sufficient to fully fund this project must be contributed to the project, and any agreements required for the project must be secured.

~~((11))~~ (12) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely to fund the replacement of two Tacoma rail diesel-electric switcher locomotives with zero emission battery-electric switcher locomotives and to install on-site charging equipment at a Tacoma rail facility (L1000327). Local funds sufficient to fully fund this project must be contributed to the project, and any agreements required for the project must be secured.

~~((12))~~ (13) \$150,000 of the multimodal transportation account—state appropriation is provided solely for the application of durable markings along state route number 906 to create up to 20 parking spaces for larger vehicles, including trucks (L1000336).

~~((13))~~ (14) \$26,500,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification competitive grants (L2021182). ~~((To be eligible to receive state funds under this section, a))~~ All public ports are eligible to receive funds under this subsection. A port seeking to use funds under this subsection to install shore power must ~~((first))~~ adopt a policy that requires vessels that dock at the port facility to use shore power if such vessel is capable of using such power and when such power is available at the port facility.

~~((14))~~ (15) \$2,000,000 of the carbon emissions reduction account—state appropriation is provided solely for port electrification at the port of Bremerton (L1000337), which may include the purchase and installation of zero emission port shore power systems and other zero emission infrastructure, equipment, and technology.

~~((15))~~ (16) \$500,000 of the carbon emissions reduction account—state appropriation ~~((is)), and beginning January 1, 2025, \$1,500,000 of the carbon emissions reduction account—state appropriation, are~~ provided solely for port electrification at the port of Anacortes (L1000338), which may include the purchase and installation of zero emission port shore power systems and other zero emission infrastructure, equipment, and technology.

(17) \$2,000,000 of the transportation infrastructure account—

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state appropriation is provided solely for the Port of Quincy Rail Infrastructure Expansion project (L1000348), an expansion of rail infrastructure within the Port of Quincy's current rail terminal and to nearby industrial zoned properties in the port district.

(18) Beginning January 1, 2025, \$20,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the Puyallup Tribe Port Electrification project (L1000346).

Sec. 309. 2023 c 472 s 310 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL

Carbon Emissions Reduction Account—State Appropriation.....	(((\$21,000,000))	<u>\$53,944,000</u>
Climate Active Transportation Account—State Appropriation.....	(((\$157,463,000))	<u>\$169,442,000</u>
Freight Mobility Investment Account—State Appropriation.....	(((\$21,098,000))	<u>\$21,847,000</u>
Freight Mobility Multimodal Account—State Appropriation.....	(((\$22,728,000))	<u>\$27,216,000</u>
Highway Infrastructure Account—State Appropriation.....	(((\$793,000))	<u>\$1,060,000</u>
Highway Infrastructure Account—Federal Appropriation.....	(((\$1,600,000))	<u>\$1,500,000</u>
Move Ahead WA Account—State Appropriation.....	(((\$106,707,000))	<u>\$117,033,000</u>
(Move Ahead WA Account Federal Appropriation.....	(((\$10,000,000))	
Move Ahead WA Flexible Account—State Appropriation.....	(((\$29,000,000))	<u>\$34,500,000</u>
(Transportation Partnership Account—State Appropriation.....	(((\$500,000))	
Motor Vehicle Account—State Appropriation.....	(((\$36,785,000))	<u>\$31,785,000</u>
Motor Vehicle Account—Federal Appropriation.....	(((\$103,553,000))	<u>\$129,698,000</u>
<u>Motor Vehicle Account—Private/Local Appropriation.....</u>	<u></u>	<u>\$35,000,000</u>
Connecting Washington Account—State Appropriation.....	(((\$99,032,000))	<u>\$117,410,000</u>
Multimodal Transportation Account—State Appropriation.....	(((\$73,818,000))	<u>\$142,372,000</u>
TOTAL APPROPRIATION.....	(((\$684,077,000))	<u>\$882,807,000</u>

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

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((2023-2)) 2024-2 ALL PROJECTS as developed ((April 21, 2023)) March 6, 2024, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for

pedestrian safety/safe routes to school are as follows:

(a) (((\$34,673,000)) \$47,707,000 of the multimodal transportation account—state appropriation and (((\$37,563,000)) \$43,058,000 of the climate active transportation account—state appropriation are provided solely for pedestrian and bicycle safety program projects (L2000188 and L1000335). Of the amount of climate active transportation account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(b) (((\$19,137,000)) \$31,553,000 of the motor vehicle account—federal appropriation, (((\$38,915,000)) \$45,399,000 of the climate active transportation account—state appropriation, and (((\$12,844,000)) \$21,157,000 of the multimodal transportation account—state appropriation are provided solely for safe routes to school projects (L2000189 and L1000334). Of the amount of climate active transportation account funds appropriated in this subsection, up to one percent may be used for program administration and staffing.

(c) For future rounds of grant selection, the department must reevaluate the criteria to increase geographic diversity of jurisdictions consistent with the requirements of the healthy environment for all (HEAL) act.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2023, and December 1, 2024, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program and the Sandy Williams connecting communities grant program.

(4) (((\$6,875,000)) \$12,792,000 of the multimodal transportation account—state appropriation is provided solely for connecting Washington bicycle and pedestrian projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(5) (((\$36,640,000)) \$46,580,000 of the motor vehicle account—federal appropriation is provided solely for acceleration of local preservation projects that ensure the reliable movement of freight on the national highway freight system (G2000100). The department will select projects as part of its update of the state freight plan, in consultation with the freight mobility strategic investment board and other stakeholders.

(6) (((\$23,750,000)) \$7,125,000 of the motor vehicle account—state appropriation is provided solely for a federal fund exchange pilot program. The pilot program will allow exchanges of federal surface transportation block grant population funding and state funds at an exchange rate of 95 cents in state funds per \$1.00 in federal funds. The entirety of the appropriation in this subsection must be held in unallotted status until: Surface transportation block grant population funding has been offered to the state, the department determines that a federalized project or projects funded in section 305 or 306 ((of this act)), chapter 472, Laws of 2023 is eligible to spend the surface transportation block grant population funding, and state funds appropriated in section 305 or 306, chapter 472, Laws of 2023 for the eligible state project or projects in an amount equal to 100 percent of the offered surface transportation block grant population funding have been placed in unallotted status. A report on the effectiveness of the exchange program, the total estimated cost of program administration, and recommendations for continuing the pilot program is due to the governor and transportation committees of the legislature by December 1, 2024. The legislature intends to evaluate the utility and efficacy of the pilot program in the 2025 legislative session while reappropriating any remaining funds into the 2025-2027 fiscal biennium. Therefore, the department may issue additional calls for projects with any remaining funds provided in this subsection.

(7) (((\$128,400,000)) \$136,893,000 of the move ahead WA

account—state appropriation and ~~(((\$19,500,000))~~ \$25,000,000 of the move ahead WA flexible account—state appropriation are provided solely for new move ahead WA road and highway projects listed in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ March 6, 2024, Program - Local Programs Program (Z).

(a) For projects funded in this subsection, the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used in the 2023-2025 fiscal biennium to advance one or more of the projects listed in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ March 6, 2024, Program - Local Programs Program (Z), prioritizing projects first by project readiness.

(i) In instances when projects listed in the LEAP transportation documents referenced in (a) of this subsection are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations of certain funds provided. In the event that the listed project has been completed the local jurisdictions may, rather than submitting an alternative project, instead be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(ii) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

(b) Of the amounts provided in this subsection, ~~(((\$21,000,000))~~ \$25,493,000 of the move ahead WA account—state appropriation is provided solely for three roundabouts to be constructed on state route number 507 in partnership with local authorities. The roundabout at Vail is with Thurston county, the roundabout at Bald Hills is with the city of Yelm, and the roundabout at state route number 702 is with Pierce county. The department is to work cooperatively with each local jurisdiction to construct these facilities within department rights-of-way. The department must provide all project predesign and design information developed to date to the local jurisdictions and have a project implementation agreement in place with each local jurisdiction within 180 calendar days of the effective date of this act. The implementation agreement may provide full control for the local authority to construct the project. Once the roundabouts are completed, the operations and maintenance of the roundabouts are the responsibility of the department. Of the amounts provided in this subsection, \$7,000,000 is for the roundabout at Vail road and state route number 507.

(c) \$15,000,000 of the move ahead Washington account—state appropriation is provided solely for the Columbia River Bridge Replacement/Hood River to White Salmon project (L4000046). The office of financial management shall place the amounts in this subsection in unallotted status. As funds are appropriated by the Oregon legislature, the office of financial management may release amounts provided in this subsection to match Oregon appropriations.

(8) \$39,185,000 of the climate active transportation account—state appropriation, \$11,600,000 of the multimodal transportation account—state appropriation, and \$3,000,000 of the move ahead WA flexible account—state appropriation are provided solely for move ahead WA pedestrian and bike projects listed in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ March 6, 2024, Program - Local

Programs Program (Z). For projects funded in this subsection, if the department expects to have substantial reappropriations for the 2023-2025 fiscal biennium, the department may, on a pilot basis, apply funding from a project with an appropriation that is unable to be used in the 2023-2025 fiscal biennium to advance one or more of the projects listed in LEAP Transportation Document ~~((2023-2))~~ 2024-2 ALL PROJECTS as developed ~~((April 21, 2023))~~ March 6, 2024, Program - Local Programs Program (Z), prioritizing projects first by tier then by project readiness.

(a) In instances when projects listed in the LEAP transportation document referenced in this subsection (8) of this section are no longer viable or have been completed, the department may recommend in its next budget submittal alternative project proposals from the local jurisdictions if the project is similar in type and scope and consistent with limitations of certain funds provided. In the event that the listed project has been completed the local jurisdictions may, rather than submitting an alternative project, instead be reimbursed in the year in which it was scheduled for documented costs incurred implementing the listed project, not in excess of the amount awarded from the funding program.

(b) At least 10 business days before advancing or swapping a project pursuant to this subsection, the department must notify the office of financial management and the transportation committees of the legislature. The advancement of a project may not hinder the delivery of the projects for which the reappropriations are necessary for the 2023-2025 fiscal biennium.

(9) \$16,800,000 of the climate active transportation account—state appropriation is provided solely for the statewide school-based bicycle education grant program (L1000309). The department may partner with a statewide nonprofit to deliver programs.

(10) \$25,000,000 of the climate active transportation account—state appropriation is provided solely for the Sandy Williams connecting communities pilot program (L1000308) to deliver projects to reconnect communities that have been bifurcated by state highways. Priority must be given to historically marginalized or overburdened communities. The department may consult with the Cooper Jones active transportation safety council to identify geographic locations where there are high incidences of serious injuries and fatalities of active transportation users among vulnerable populations.

(11) \$14,000,000 of the carbon emissions reduction account—state appropriation ~~((is)), and beginning January 1, 2025, \$10,000,000 of the carbon emissions reduction account—state appropriation, are~~ provided solely for the Guemes Ferry Boat Replacement project (L4000124).

(12) \$6,500,000 of the move ahead WA flexible account—state appropriation is provided solely for development of an applied sustainable aviation evaluation center (L2021135). Snohomish county, in partnership with Washington State University, shall plan and establish facilities to evaluate, qualify or certify, and research technologies that can minimize the impact of aviation on human health and the environment. Funds may be used for, but are not limited to, planning, construction, and land acquisition for sustainable aviation fuel (SAF) qualification testing (ASTM D4054), research on the impact of SAF on the environment and human health, and SAF storage for the purpose of advancing sustainable aviation. At a minimum, three sustainable aviation platforms must be considered:

- (a) Sustainable aviation fuel (SAF);
- (b) Hydrogen; and
- (c) Battery electric energy storage mechanisms.

(13) The legislature intends to fund the Ballard and Magnolia Bridge project (L4000123) ~~((and the Aurora Avenue North Safety~~

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~~Improvements project (L4000154)), as described in section 911(18) and (19) ((of this act)), chapter 472, Laws of 2023.~~

(14) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the Seattle office of planning and community development to update and add to the 2020 I-5 Lid Feasibility Study with additional test cases with ramp changes and removals in downtown Seattle and alternative assumptions with regards to parking, expansion of Freeway Park, affordable housing, and commercial real estate (L2021140). The Seattle office of planning and community development shall conduct ongoing community engagement with underrepresented constituencies to support the technical work of this study and raise public awareness of opportunities of I-5 lids. Focus should be given to low-income households living and working in the I-5 lid study areas in central Seattle.

(15) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to award grants to local jurisdictions to implement network-wide traffic conflict screening programs using video analytics in controlled intersections with a disproportionate number of traffic violations and injuries to active transportation users (L2021149). Grants must be awarded proportionally across the state and include controlled intersections in both urban and rural environments and along state highways and county roads. Grant recipients must report back to the department all traffic violation and active transportation facility data acquired during the grant period and provide the department with appropriate next steps for the state and the local jurisdiction to improve traffic safety for active transportation users in such intersections. The department must report such findings and recommendations to the transportation committees of the legislature by December 1, 2024.

(16)(a)(i) \$5,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to establish a program for providing rebates to qualifying persons who purchase e-bikes and qualifying equipment and services from a qualifying retailer. Of this amount, \$3,000,000 is for rebate amounts as described under (a)(iii)(A) of this subsection, and \$2,000,000 is for rebate amounts as described under (a)(iii)(B) of this subsection.

(ii) To qualify for and use the rebate under this subsection, a person must be a resident of Washington state and purchase an e-bike and qualifying equipment and services, if any, from a qualifying retailer in this state. Qualifying equipment and services must be purchased as part of the same transaction as the e-bike.

(iii)(A) For persons who are at least 16 years of age and reside in households with incomes at or below 80 percent of the county area median income, the amount of the rebate is up to \$1,200 on the sale of an e-bike and any qualifying equipment and services.

(B) For all other persons who are at least 16 years of age, the amount of the rebate is up to \$300 on the sale of an e-bike and any qualifying equipment and services.

(C) No more than one rebate may be awarded per household.

(iv)(A) The department must establish application procedures for e-bike retailers to participate in the rebate program, and application and award procedures for applicants to participate in the program. If an applicant qualifies for a rebate amount and there is sufficient funds to award the applicant with the appropriate rebate amount, the department must provide the qualifying individual the rebate amount in a format that can be redeemed at the time of purchase at a qualifying retailer.

(B) An applicant must provide contact information, including a physical address, email address, and phone number, and demographic information, including the applicant's age, gender, race, and ethnicity, to the department on a form provided by the department at the time of applying for the rebate. The department

may share or provide access to such information with the University of Washington to provide the University of Washington an opportunity to ask program applicants and recipients to fill out a survey collecting information only to the extent to inform its report described under (d) of this subsection.

(v) A qualifying retailer must register with the department before participating in the rebate program. A qualifying retailer must:

(A) Verify the identity of the qualifying individual at the time of purchase; and

(B) Calculate and apply the rebate at the time of purchase.

(vi) The department must reimburse a qualifying retailer that accepts a rebate from a qualifying individual no later than 30 days after the rebate is redeemed.

(vii) For purposes of this subsection (16)(a):

(A) "E-bike" means an electric assisted bicycle as defined in RCW 46.04.169, but does not include mountain bikes.

(B) "Qualifying equipment and services" means a bicycle helmet, safety vest, bicycle light, or bicycle lock, and any maintenance or other services agreed upon by the qualifying retailer and qualifying individual at the time of purchase.

(C) "Qualifying retailer" means a retail business establishment with one or more physical retail locations in this state that provides on-site e-bike sales, service, and repair and has registered with the department to participate in the rebate program established under this subsection.

(b) For fiscal year 2025, \$2,000,000 of the carbon emissions reduction account—state appropriation is provided solely for the department to establish an e-bike lending library and ownership grant program. The department may accept grant applications from other state entities, local governments, and tribes that administer or plan to administer an e-bike lending library or ownership program for their employees for commute trip reduction purposes. The department may also accept grant applications from nonprofit organizations or tribal governments that serve persons who are low-income or reside in overburdened communities and that administer or plan to administer an e-bike lending library or ownership program for qualifying persons. Grant recipients must report program information and participation data to the University of Washington to inform its report described under (d) of this subsection.

(c) It is the intent of the legislature that funding provided in (a) and (b) of this subsection continue to be appropriated in the 2025-2027 and 2027-2029 fiscal biennia.

(d) Of the amounts provided in this subsection (16), \$90,000 is for the department to contract with the University of Washington's sustainable transportation lab to publish a general policy brief that provides innovative e-bike rebate and lending library or ownership grant program models and recommendations, a report on survey results based on data and demographic information collected under the e-bike rebate program established in (a) of this subsection, and a report on program information and data collected under the e-bike lending library and ownership grant program established in (b) of this subsection. An initial brief and report must be submitted to the transportation committees of the legislature by July 1, 2024, with the final policy brief and report due to the transportation committees of the legislature by July 1, 2025.

(e) The department may not collect more than five percent of appropriated amounts to administer the programs under (a) and (b) of this subsection.

(17) (~~(\$21,098,000)~~) \$21,847,000 of the freight mobility investment account—state appropriation and (~~(\$22,728,000)~~) \$27,216,000 of the freight mobility multimodal account—state appropriation are provided solely for freight mobility strategic

investment board projects listed in the LEAP transportation document referenced in subsection (1) of this section.

(18) \$4,150,000 of the motor vehicle account—state appropriation is provided solely for matching funds for federal funds to reconstruct Grant county and Adams county bridges as part of the Odessa groundwater replacement program (L1000322).

(19) \$9,240,000 of the connecting Washington account—state appropriation is provided solely for the Aberdeen US 12 Highway-Rail Separation project (L1000331).

(20) ~~(\$750,000 of the motor vehicle account state appropriation is provided solely for the Grady Way overpass at Rainier Avenue South I 405 BRT Access study (L1000333).~~

(21)) The appropriations in this section include savings due to anticipated project underruns; however, it is unknown which projects will provide savings. The legislature intends to provide sufficient flexibility for the department to manage to this savings target. To provide this flexibility, the office of financial management may authorize, through an ~~(allotment)~~ appropriation modification, reductions in the amounts that are provided solely for a particular purpose within this section subject to the following conditions and limitations:

(a) The department must confirm that any modification requested under this subsection of amounts provided solely for a specific purpose are not expected to be used for that purpose in this fiscal biennium;

(b) ~~(Allotment)~~ Appropriation modifications authorized under this subsection may not result in increased funding for any project beyond the amount provided for that project in the 2023-2025 fiscal biennium in LEAP Transportation Document ~~((2023-2)) 2024-2 ALL PROJECTS~~ as developed ~~((April 21, 2023))~~ March 6, 2024;

(c) ~~(Allotment)~~ Appropriation modifications authorized under this subsection apply only to amounts appropriated in this section from the following accounts: Connecting Washington account—state, and move ahead WA account—state; and

(d) The office of financial management must provide notice of ~~(allotment)~~ appropriation modifications authorized under this subsection within 10 working days to the transportation committees of the legislature. By December 1, 2023, and December 1, 2024, the department must submit a report to the transportation committees of the legislature regarding the actions taken to date under this subsection.

(21) \$5,000,000 of the multimodal transportation account—state appropriation is provided solely for the department to assist local jurisdictions in addressing emergent issues related to safety for pedestrians and bicyclists (LXXXPBF). Funds may only be spent after approval from the office of financial management. By December 15th of each odd-numbered year, the department shall provide a report to the legislature listing all emergent issues addressed in the prior fiscal biennium. Reporting may be done in conjunction with the transportation operations division.

(22) Beginning January 1, 2025, \$22,944,000 of the carbon emissions reduction account—state appropriation is provided solely for the following projects identified in LEAP Transportation Document 2024-2 ALL PROJECTS as developed March 6, 2024:

(a) North Aurora Safety Improvements (L4000154);

(b) North Broadway Pedestrian Bridge (L2021082);

(c) State Route 547 Pedestrian and Bicycle Safety Trail (Kendall Trail) (L4000144);

(d) 72nd Ave & Washington Ave Active Transportation Components (L2021194);

(e) Bluff Trail Hood River to White Salmon (L2021199);

(f) Columbia Heights Safety Improvements (L2021195);

(g) La Center Pac. Hwy Shared Use Path (L2021196);

(h) SR 240/Aaron Dr Complete Streets Improvements (L2021193);

(i) View Ridge Safe Routes to Schools (L1000342);

(j) 84th Ave NE Pedestrian and Bicycle Project (L1000366);

(k) Communities for a Health Bay electric boat (L1000368);

(l) SR 303 Warren Ave Bridge Pedestrian Improvements (L2000339); and

(m) SR 520 & 148th NE Bicycle/Pedestrian Crossing (L2021047).

TRANSFERS AND DISTRIBUTIONS

Sec. 401. 2023 c 472 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account—State	
Appropriation	(((\$1,101,000))
	\$221,000
Connecting Washington Account—State	Appropriation
.....	(((\$11,951,000))
	\$4,531,000
Special Category C Account—State	Appropriation
.....	(((\$922,000))
	\$444,000
Highway Bond Retirement Account—State	
Appropriation	(((\$1,470,291,000))
	\$1,475,218,000
Ferry Bond Retirement Account—State	Appropriation
.....	\$4,616,000
Transportation Improvement Board Bond Retirement	
Account—State Appropriation	(((\$10,895,000))
	\$10,305,000
Nondebt-Limit Reimbursable Bond Retirement Account—	
State Appropriation	(((\$28,606,000))
	\$28,262,000
Toll Facility Bond Retirement Account—State	
Appropriation	\$76,372,000
TOTAL APPROPRIATION	(((\$1,604,754,000))
	\$1,599,969,000

Sec. 402. 2023 c 472 s 402 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Transportation Partnership Account—State	
Appropriation	(((\$220,000))
	\$46,000
((Transportation Improvement Account—State	
Appropriation	(\$20,000))
Connecting Washington Account—State	Appropriation
.....	(((\$2,391,000))
	\$1,017,000
Special Category C Account—State	Appropriation
.....	(((\$183,000))
	\$95,000
TOTAL APPROPRIATION	(((\$2,814,000))
	\$1,158,000

Sec. 403. 2023 c 472 s 403 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES

FOR DISTRIBUTION

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax statutory distributions to cities and counties.....((~~\$465,354,000~~))
\$461,954,000

Multimodal Transportation Account—State Appropriation: For distribution to cities and counties..... \$26,786,000
Motor Vehicle Account—State Appropriation: For distribution to cities and counties \$23,438,000
TOTAL APPROPRIATION.....((~~\$515,578,000~~))
\$512,178,000

Sec. 404. 2023 c 472 s 404 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and statutory transfers((~~\$1,969,182,000~~))
\$1,955,782,000

Sec. 405. 2023 c 472 s 405 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and transfers((~~\$246,480,000~~))
\$253,180,000

Sec. 406. 2023 c 472 s 406 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

~~(1)((a) Pilotage Account—State Appropriation: For transfer to the Multimodal Transportation Account—State \$200,000~~

~~(b) The amount transferred in this subsection represents partial repayment of prior biennium transfers to cover self insurance liability premiums.~~

~~(2))~~ Transportation Partnership Account—State Appropriation: For transfer to the Motor Vehicle Account—State..... \$175,000,000
~~((3))~~ ~~(2)~~ Connecting Washington Account—State Appropriation: For transfer to the Move Ahead WA Account—State..... \$200,000,000
~~((4))~~ ~~(3)~~ Electric Vehicle Account—State appropriation: For transfer to the Move Ahead WA Flexible Account—State..... \$29,200,000
~~((5))~~ ~~(4)~~ Electric Vehicle Account—State Appropriation: For transfer to the Multimodal Transportation Account—State((~~\$23,330,000~~))
\$32,730,000

~~((6))~~ ~~(5)~~ Washington State Aviation Account—State Appropriation: For transfer to the Aeronautics Account—State..... \$150,000

~~((7))~~ ~~(6)~~ Carbon Emissions Reduction Account—State Appropriation: For transfer to the Climate Active Transportation Account—State \$178,885,000

~~((8))~~ ~~(7)~~ Carbon Emissions Reduction Account—State Appropriation: For transfer to the Climate Transit Programs Account—State..... \$408,000,000

~~((9))~~ ~~(8)~~ Carbon Emissions Reduction Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State \$4,200,000

~~((10))~~ ~~(9)~~ Move Ahead WA Flexible Account—State Appropriation: For transfer to the Move Ahead WA Account—State..... \$100,000,000

~~((11))~~ ~~(10)~~ Alaskan Way Viaduct Replacement Project

Account—State Appropriation: For transfer to the Motor Vehicle Account—State\$25,000,000
~~((12))~~ ~~(11)~~ Highway Safety Account—State Appropriation: For transfer to the State Patrol Highway Account—State ((~~\$77,000,000~~))
\$84,000,000

~~((13))~~ ~~(12)~~(a) Transportation Partnership Account—State Appropriation: For transfer to the Tacoma Narrows Toll Bridge Account—State..... \$6,611,000

(b) It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the impact of toll increases. An equivalent reimbursing transfer is to occur after the debt service and deferred sales tax on the Tacoma Narrows bridge construction costs are fully repaid in accordance with chapter 195, Laws of 2018.

~~((14))~~ ~~(13)~~ Motor Vehicle Account—State Appropriation: For transfer to the State Patrol Highway Account—State \$1,500,000

~~((15))~~ ~~(14)~~ Motor Vehicle Account—State Appropriation: For transfer to the County Arterial Preservation Account—State \$4,844,000

~~((16))~~ ~~(15)~~ Motor Vehicle Account—State Appropriation: For transfer to the Freight Mobility Investment Account—State \$8,511,000

~~((17))~~ ~~(16)~~ Motor Vehicle Account—State Appropriation: For transfer to the Rural Arterial Trust Account—State..... \$4,844,000

~~((18))~~ ~~(17)~~ Motor Vehicle Account—State Appropriation: For transfer to the Transportation Improvement Account—State \$9,688,000

~~((19))~~ ~~(18)~~(a) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the Motor Vehicle Account—State \$1,000,000

(b) The transfer in this subsection is to repay moneys loaned to the state route number 520 civil penalties account in the 2019-2021 fiscal biennium.

~~((20))~~ ~~(19)~~ State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the State Route Number 520 Corridor Account—State... \$560,000

~~((21))~~ ~~(20)~~(a) Capital Vessel Replacement Account—State Appropriation: For transfer to the Connecting Washington Account—State\$29,000,000

(b) It is the intent of the legislature that this transfer is temporary, for the purpose of minimizing the use of bonding in the connecting Washington account.

~~((22))~~ ~~(21)~~ Multimodal Transportation Account—State Appropriation: For transfer to the Complete Streets Grant Program Account—State.....\$14,670,000

~~((23))~~ ~~(22)~~ Multimodal Transportation Account—State Appropriation: For transfer to the Highway Safety Account—State \$3,000,000

~~((24))~~ ~~(23)~~ Multimodal Transportation Account—State Appropriation: For transfer to the Motor Vehicle Account—State\$15,000,000

~~((25))~~ ~~(24)~~ Multimodal Transportation Account—State Appropriation: For transfer to the Freight Mobility Multimodal Account—State..... \$8,511,000

~~((26))~~ ~~(25)~~ Multimodal Transportation Account—State Appropriation: For transfer to the Move Ahead WA Flexible Account—State\$11,790,000

~~((27))~~ ~~(26)~~ Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State\$175,000,000

~~((28))~~ ~~(27)~~ Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound

Ferry Operations Account—State.....	(\$38,500,000)
<u>\$90,500,000</u>	
((29)) <u>(28)</u> Multimodal Transportation Account—State	
Appropriation: For transfer to the Regional Mobility	
Grant Program Account—State	\$27,679,000
((30)) <u>(29)</u> Multimodal Transportation Account—State	
Appropriation: For transfer to the Rural Mobility	
Grant Program Account—State	\$12,223,000
((31)) <u>(30)</u> Multimodal Transportation Account—State	
Appropriation: For transfer to the State Patrol Highway	
Account—State.....	\$59,000,000
((32)) <u>(31)</u> (a) Alaskan Way Viaduct Replacement	
Project Account—State Appropriation: For transfer to	
the Transportation Partnership Account—State....	\$47,899,000
(b) \$22,899,000 of the amount transferred in this subsection	
represents repayment of debt service incurred for the construction	
of the SR 99/Alaskan Way Viaduct Replacement project	
(809936Z).	
((33)) <u>(32)</u> Tacoma Narrows Toll Bridge Account—State	
Appropriation: For transfer to the Motor Vehicle	
Account—State.....	\$543,000
((34)) <u>(33)</u> (a) General Fund Account—State	
Appropriation: For transfer to the State Patrol Highway	
Account—State.....	\$625,000
(b) The state treasurer shall transfer the funds only after	
receiving notification from the Washington state patrol under	
section 207 ((of this act)), <u>chapter 472, Laws of 2023.</u>	
((35)) <u>(34)</u> Puget Sound Ferry Operations Account—State	
Appropriation: For transfer to the Puget Sound Capital	
Construction Account—State	\$121,828,000
((36)) <u>(35)</u> Move Ahead WA Account—State	
Appropriation: For transfer to the Puget Sound Ferry	
Operations Account—State	\$120,000,000
<u>(36) Advance Right-Of-Way Revolving Fund—State</u>	
<u>Appropriation: For transfer to the JUDY Transportation</u>	
<u>Future Funding Program Account—State.....</u>	<u>\$40,000,000</u>
<u>(37) Transportation Infrastructure Account—State</u>	
<u>Appropriation: For transfer to the Essential Rail</u>	
<u>Assistance Account—State</u>	<u>\$1,000,000</u>
<u>(38) Regional Mobility Grant Program Account—State</u>	
<u>Appropriation: For transfer to the Multimodal</u>	
<u>Transportation Account—State</u>	<u>\$6,098,000</u>
<u>(39) Move Ahead WA Account—State Appropriation:</u>	
<u>For transfer to the Motor Vehicle Account—State</u>	<u>\$50,000,000</u>

Sec. 407. 2023 c 472 s 407 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE

Toll Facility Bond Retirement Account—Federal	
Appropriation.....	(\$194,241,000)
	<u>\$192,490,000</u>
Toll Facility Bond Retirement Account—State	
Appropriation.....	(\$25,372,000)
	<u>\$26,562,000</u>
TOTAL APPROPRIATION.....	(\$219,613,000)
	<u>\$219,052,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$35,250,000 of the toll facility bond retirement account—federal appropriation may be used to prepay certain outstanding bonds if sufficient debt service savings can be obtained.

IMPLEMENTING PROVISIONS

Sec. 501. 2023 c 472 s 601 (uncodified) is amended to read as follows:

MANAGEMENT OF TRANSPORTATION FUNDS WHEN THE LEGISLATURE IS NOT IN SESSION

(1) The 2005 transportation partnership projects or improvements ~~((and)),~~ 2015 connecting Washington projects or improvements, and move ahead WA projects or improvements are listed in the LEAP Transportation Document ~~((2023-1))~~ 2024-1 as developed ~~((April 21, 2023))~~ March 6, 2024, which consists of a list of specific projects by fund source and amount over multiple biennia. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a 16-year plan. The department of transportation is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account ~~((and)),~~ connecting Washington account, and move ahead WA account projects on the LEAP transportation document referenced in this subsection. For the 2023-2025 project appropriations, unless otherwise provided in this act, the director of the office of financial management may provide written authorization for a transfer of appropriation authority between projects funded with transportation partnership account appropriations ~~((or)),~~ connecting Washington account appropriations, or move ahead WA account appropriations to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

- (a) Transfers may only be made within each specific fund source referenced on the respective project list;
- (b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;
- (c) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed in the current fiscal biennium;
- (d) Transfers may not occur for projects not identified on the applicable project list;
- (e) Transfers to a project may not occur if that project is a programmatic funding item described in broad general terms on the applicable project list without referencing a specific state route number;
- (f) Transfers may not be made while the legislature is in session;
- (g) Transfers to a project may not be made with funds designated as attributable to practical design savings as described in RCW 47.01.480;
- (h) ~~((Except for transfers made under (l) of this subsection, transfers may only be made in fiscal year 2024;~~
- ~~((+))~~ The total amount of transfers under this section may not exceed \$50,000,000;
- ~~((+))~~ (i) Except as otherwise provided in ~~((+))~~ (k) of this subsection, transfers made to a single project may not cumulatively total more than \$20,000,000 per fiscal biennium;
- ~~((+))~~ (j) Each transfer between projects may only occur if the director of the office of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature; and
- ~~((+))~~ (k) Transfers between projects may be made by the department of transportation without the formal written approval provided under this subsection ~~((+))~~ (l)(k), provided that the transfer amount to a single project does not exceed \$250,000 or 10 percent of the total project per fiscal biennium, whichever is less. These transfers must be reported quarterly to the director of the office of financial management and the chairs of the house of representatives and senate transportation committees.

(2) The department of transportation must submit quarterly all

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transfers authorized under this section in the transportation executive information system. The office of financial management must maintain a legislative baseline project list identified in the LEAP transportation documents referenced in this act, and update that project list with all authorized transfers under this section, including any effects to the total project budgets and schedules beyond the current fiscal biennium.

(3) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the chairs and ranking members of the transportation committees of the legislature.

(4) Before approval, the office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner and address any concerns raised by the chairs and ranking members of the transportation committees.

(5) No fewer than 10 days after the receipt of a project transfer request, the director of the office of financial management must provide written notification to the department of any decision regarding project transfers, with copies submitted to the transportation committees of the legislature.

(6) The department must submit annually as part of its budget submittal a report detailing all transfers made pursuant to this section, including any effects to the total project budgets and schedules beyond the current fiscal biennium.

Sec. 502. 2023 c 472 s 606 (uncodified) is amended to read as follows:

TRANSIT, BICYCLE, AND PEDESTRIAN ELEMENTS REPORTING

By November 15th of each year, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in LEAP Transportation Document ((2023-2)) 2024-2 ALL PROJECTS as developed ((April 21, 2023)) March 6, 2024, in a manner consistent with past practices as specified in section 602, chapter 186, Laws of 2022.

Sec. 503. 2023 c 472 s 609 (uncodified) is amended to read as follows:

LOCAL PARTNER COOPERATIVE AGREEMENTS

(1) If a transportation project, where the Washington state department of transportation is the lead and the project is scheduled to be delivered or completed in the 2023-2025 fiscal biennium as shown on the LEAP Transportation Document ((2023-2)) 2024-2 ALL PROJECTS as developed ((April 21, 2023)) March 6, 2024, is in jeopardy of being delayed because the department is unable to deliver or complete the project within the 2023-2025 fiscal biennium and other local jurisdictions are able to deliver or complete the work, the department must coordinate with the appropriate local jurisdictions to determine if a potential local partner is ready, willing, and able to execute delivery and completion of the project within the 2023-2025 fiscal biennium.

(2) The department must compile a list of projects under this section, including the timing under which the local partner agency can deliver or complete the projects within the 2023-2025 and 2025-2027 fiscal biennia. The department must submit the compiled list of projects to the governor and the transportation committees of the legislature by November 1, 2023.

MISCELLANEOUS 2023-2025 FISCAL BIENNIUM

Sec. 601. RCW 14.40.020 and 2023 c 463 s 4 are each amended to read as follows:

The state commercial aviation work group shall submit a progress report to the governor and the transportation committees of the legislature by ((July)) December 1, 2024, and annually every July 1st thereafter. The first report of the work group shall

include a list of areas that will not have further review as the areas are in conflict with the operations of a military installation.

Sec. 602. RCW 46.18.060 and 2017 3rd sp.s. c 25 s 40 are each amended to read as follows:

(1) The department must review and either approve or reject special license plate applications submitted by sponsoring organizations. Between the effective date of this section and until June 30, 2025, the department may not approve special license plate applications.

(2) Duties of the department include, but are not limited to, the following:

(a) Review and approve the annual financial reports submitted by sponsoring organizations with active special license plate series and present those annual financial reports to the joint transportation committee;

(b) Report annually to the joint transportation committee on the special license plate applications that were considered by the department;

(c) Issue approval and rejection notification letters to sponsoring organizations, the executive committee of the joint transportation committee, and the legislative sponsors identified in each application. The letters must be issued within seven days of making a determination on the status of an application; and

(d) Review annually the number of plates sold for each special license plate series created after January 1, 2003. The department may submit a recommendation to discontinue a special plate series to the executive committee of the joint transportation committee.

Sec. 603. RCW 46.68.300 and 2023 c 472 s 708 and 2023 c 167 s 8 are each reenacted and amended to read as follows:

The freight mobility investment account is hereby created in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account may be used only for freight mobility projects that have been ((approved)) recommended by the freight mobility strategic investment board in RCW 47.06A.020 and may include any principal and interest on bonds authorized for the projects or improvements. During the ((2019-2021 and)) 2021-2023 and 2023-2025 fiscal biennia, the expenditures from the account may also be used for the administrative expenses of the freight mobility strategic investment board.

Sec. 604. RCW 46.68.320 and 2010 c 247 s 702 are each amended to read as follows:

(1) The regional mobility grant program account is hereby created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the grants provided under RCW 47.66.030.

(2) Beginning with September 2007, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the regional mobility grant program account ((~~five million dollars~~)) \$5,000,000.

(3) Beginning with September 2015, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the regional mobility grant program account ((~~six million two hundred fifty thousand dollars~~)) \$6,250,000.

(4) During the ((2009-2011)) 2023-2025 fiscal biennium, the legislature may ((transfer from the regional mobility grant program account to the multimodal transportation account such amounts as reflect the excess fund balance of the regional mobility grant program account)) direct the state treasurer to make transfers of moneys from the regional mobility grant program account to the multimodal transportation account.

Sec. 605. RCW 46.68.510 and 2022 c 182 s 401 are each

amended to read as follows:

The move ahead WA account is created in the motor vehicle fund. Moneys in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as move ahead WA projects or improvements in an omnibus transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements. During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys from the move ahead WA account to the motor vehicle fund.

Sec. 606. RCW 47.12.244 and 2013 c 306 s 714 are each amended to read as follows:

There is created the "advance right-of-way revolving fund" in the custody of the treasurer, into which the department is authorized to deposit directly and expend without appropriation:

(1) An initial deposit of ~~((ten million dollars))~~ \$10,000,000 from the motor vehicle fund included in the department of transportation's 1991-93 budget;

(2) All moneys received by the department as rental income from real properties that are not subject to federal aid reimbursement, except moneys received from rental of capital facilities properties as defined in chapter 47.13 RCW; and

(3) Any federal moneys available for acquisition of right-of-way for future construction under the provisions of section 108 of Title 23, United States Code.

~~During the ((2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the advance right of way revolving fund to the motor vehicle account F:\Journal\2024 Journal\Journal2024\LegDay060\fund.doc amounts as reflect the excess fund balance of the advance right of way revolving fund))~~ 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys from the advance right-of-way revolving fund to the JUDY transportation future funding program account.

Sec. 607. RCW 47.68.090 and 2017 c 48 s 2 are each amended to read as follows:

(1) The department of transportation may make available its engineering and other technical services, with or without charge, to any municipality or person desiring them in connection with the planning, acquisition, construction, improvement, maintenance, or operation of airports or air navigation facilities.

(2)(a) The department may render financial assistance by grant or loan, or both, to the following entities out of appropriations made by the legislature for the following purposes:

(i) Any municipality or municipalities acting jointly in the planning, acquisition, construction, improvement, maintenance, or operation of an airport owned or controlled, or to be owned or controlled by such municipality or municipalities;

(ii) Any Indian tribe recognized as such by the federal government or such tribes acting jointly in the planning, acquisition, construction, improvement, maintenance, or operation of an airport, owned or controlled, or to be owned or controlled by such tribe or tribes, and to be held available for the general use of the public; or

(iii) Any person or persons acting jointly in the planning, acquisition, construction, improvement, maintenance, or operation of an airport, owned or controlled, or to be owned or controlled by such person or persons, and to be held available for the general use of the public.

(b) Such financial assistance may be furnished in connection with federal or other financial aid for the same purposes: PROVIDED, That no grant or loan, or both, shall be in excess of ~~((seven hundred fifty thousand dollars))~~ \$750,000 for any one project: PROVIDED FURTHER, That no grant or loan, or both, shall be granted unless the municipality or municipalities acting

jointly, the tribe or tribes acting jointly, or the person or persons acting jointly shall from their own funds match any funds made available by the department upon such ratio as the department may prescribe.

(c) The requirements of (b) of this subsection do not apply for projects when directed to do so by the legislature during the 2023-2025 fiscal biennium in an omnibus transportation appropriations act.

(d) The department must establish, by rule, criteria for administering financial assistance to any entity.

(3) The department is authorized to act as agent of any municipality or municipalities acting jointly, any tribe or tribes acting jointly, or any person or persons acting jointly upon the request of such municipality or municipalities, tribe or tribes, or person or persons in accepting, receiving, receipting for, and disbursing federal moneys, and other moneys public or private, made available to finance, in whole or in part, the planning, acquisition, construction, improvement, maintenance, or operation of an airport or air navigation facility; and if requested by such municipality or municipalities, tribe or tribes, or person or persons, may act as its or their agent in contracting for and supervising such planning, acquisition, construction, improvement, maintenance, or operation; and all municipalities, tribes, and persons are authorized to designate the department as their agent for the foregoing purposes. The department, as principal on behalf of the state, and any municipality on its own behalf, may enter into any contracts, with each other or with the United States or with any person, which may be required in connection with a grant or loan of federal moneys for airport or air navigation facility purposes. All federal moneys accepted under this section shall be accepted and transferred or expended by the department upon such terms and conditions as are prescribed by the United States. All moneys received by the department pursuant to this section shall be deposited in the state treasury, and, unless otherwise prescribed by the authority from which such moneys were received, shall be kept in separate funds designated according to the purposes for which the moneys were made available, and held by the state in trust for such purposes. All such moneys are hereby appropriated for the purposes for which the same were made available, to be disbursed or expended in accordance with the terms and conditions upon which they were made available: PROVIDED, That any landing fee or charge imposed by any Indian tribe or tribes for the privilege of use of an airport facility planned, acquired, constructed, improved, maintained, or operated with financial assistance from the department pursuant to this section must apply equally to tribal and nontribal members: PROVIDED FURTHER, That in the event any municipality or municipalities, Indian tribe or tribes, or person or persons, or any distributor of aircraft fuel as defined by RCW 82.42.010 which operates in any airport facility which has received financial assistance pursuant to this section, fails to collect the aircraft fuel excise tax as specified in chapter 82.42 RCW, all funds or value of technical assistance given or paid to such municipality or municipalities, Indian tribe or tribes, or person or persons under the provisions of this section shall revert to the department, and shall be due and payable to the department immediately.

Sec. 608. RCW 82.70.020 and 2015 3rd sp.s. c 44 s 413 are each amended to read as follows:

(1) Employers in this state who are taxable under chapter 82.04 or 82.16 RCW and provide financial incentives to their own or other employees for ride sharing, for using public transportation, for using car sharing, or for using nonmotorized commuting before January 1, ~~((2024))~~ 2025, are allowed a credit against taxes payable under chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of employees for ride sharing in vehicles carrying

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two or more persons, for using public transportation, for using car sharing, or for using nonmotorized commuting, not to exceed ~~((sixty dollars))~~ \$60 per employee per fiscal year.

(2) Property managers who are taxable under chapter 82.04 or 82.16 RCW and provide financial incentives to persons employed at a worksite in this state managed by the property manager for ride sharing, for using public transportation, for using car sharing, or for using nonmotorized commuting before January 1, 2024, are allowed a credit against taxes payable under chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of these persons for ride sharing in vehicles carrying two or more persons, for using public transportation, for using car sharing, or for using nonmotorized commuting, not to exceed ~~((sixty dollars))~~ \$60 per person per fiscal year.

(3) The credit under this section is equal to the amount paid to or on behalf of each employee multiplied by ~~((fifty))~~ 50 percent, but may not exceed ~~((sixty dollars))~~ \$60 per employee per fiscal year. No refunds may be granted for credits under this section.

(4) A person may not receive credit under this section for amounts paid to or on behalf of the same employee under both chapters 82.04 and 82.16 RCW.

(5) A person may not take a credit under this section for amounts claimed for credit by other persons.

Sec. 609. RCW 82.70.040 and 2022 c 182 s 311 are each amended to read as follows:

(1)(a) The department must keep a running total of all credits allowed under RCW 82.70.020 during each fiscal year. The department may not allow any credits that would cause the total amount allowed to exceed \$2,750,000 in any fiscal year.

(b) If the total amount of credit applied for by all applicants in any year exceeds the limit in this subsection, the department must ratably reduce the amount of credit allowed for all applicants so that the limit in this subsection is not exceeded. If a credit is reduced under this subsection, the amount of the reduction may not be carried forward and claimed in subsequent fiscal years.

(2)(a) Tax credits under RCW 82.70.020 may not be claimed in excess of the amount of tax otherwise due under chapter 82.04 or 82.16 RCW.

(b) Through June 30, 2005, a person with taxes equal to or in excess of the credit under RCW 82.70.020, and therefore not subject to the limitation in (a) of this subsection, may elect to defer tax credits for a period of not more than three years after the year in which the credits accrue. For credits approved by the department through June 30, 2015, the approved credit may be carried forward and used for tax reporting periods through December 31, 2016. Credits approved after June 30, 2015, must be used for tax reporting periods within the calendar year for which they are approved by the department and may not be carried forward to subsequent tax reporting periods. Credits carried forward as authorized by this subsection are subject to the limitation in subsection (1)(a) of this section for the fiscal year for which the credits were originally approved.

(3) No person may be approved for tax credits under RCW 82.70.020 in excess of \$100,000 in any fiscal year. This limitation does not apply to credits carried forward from prior years under subsection (2)(b) of this section.

(4) No person may claim tax credits after June 30, ~~((2024))~~ 2025.

Sec. 610. RCW 82.70.900 and 2023 c 374 s 18 are each amended to read as follows:

This chapter expires July 1, ~~((2024))~~ 2025.

Sec. 611. 2022 c 182 s 503 (uncodified) is amended to read as follows:

~~((Sections 311 and))~~ Section 403 of this act ~~((expire))~~ expires July 1, 2024.

Sec. 612. 2023 c 445 s 1 (uncodified) is amended to read as follows:

The department of licensing shall develop a comprehensive implementation plan for the expansion of the current driver training education requirement to obtain a driver's license to persons between the ages of 18 and 24. The target date for implementation of the new driver training education expansion is July 1, 2026. The driver training education expansion plan must be provided to the transportation committees of the legislature by ~~((October))~~ December 1, 2024, and must include, but need not be limited to, the following:

(1)(a) Consideration of courses that could satisfy the new driver training education requirement, including a condensed course option and a self-paced, online course option, with attention to the educational value, monetary and time costs required, and possible accessibility constraints for each course option considered; and

(b) Within the work specified in (a) of this subsection, an analysis of a mandatory driver's education refresher course requirement consisting of in-person or virtual classroom-based instruction on risk management and hazard protections one year after licensure, including the course appropriateness for intermediate license holders;

(2) An assessment of public and private resources necessary to support the new driver training education requirement to ensure sufficient course availability and accessibility, including opportunities for the department of licensing to provide driver training education directly or to facilitate partnerships with schools, community organizations, or driver training providers, to close availability and accessibility gaps in rural and underserved areas. The assessment must include, but need not be limited to, an inventory of the current number, and an estimate of the increased number required to meet the anticipated need, of the following:

(a) Licensed driver training schools and traffic safety education programs in the state, by geographical region;

(b) Licensed driver training school and traffic safety education instructors;

(c) Licensed driver trainer instructors; and

(d) Driver training education course spaces available per year, by course option and for both classroom and behind-the-wheel instruction;

(3) In consultation with the office of equity, evaluation of access to driver training education courses and consideration of opportunities to improve access to driver training education for young drivers. The assessment must address, but should not be limited to, potential obstacles for young drivers for whom the cost of driver training education may pose a hardship, obstacles related to accessibility for young drivers who reside in rural areas, and obstacles for young drivers whose primary language is not English. The assessment must also include strategies that can be used to mitigate these potential obstacles, including possible exceptions to, or substitutions for, a driver training education requirement in cases where access-related obstacles cannot be overcome, such as when a behind-the-wheel driver training program may not be available within a reasonable distance of a person's residence;

(4) A plan for broad and accessible public outreach and education to communicate to Washington state residents new driver training education requirements, including a plan for the development of tools to assist residents in accessing driver training education courses that meet the new requirements;

(5) Collaboration with educational service districts to determine the extent to which educational service districts can facilitate the coordination between school districts or secondary schools of a school district and driver training schools to increase

access to driver training education courses by students who reside within the boundaries of an applicable school district;

(6) An examination of opportunities to address the financial need of persons for whom the cost of driver training education courses licensed by the department of licensing may pose a hardship, through a voucher or other financial assistance program. The examination must include quantified estimates of the extent to which the cost of driver training education could pose a significant obstacle, as well as possible approaches to help reduce or eliminate this obstacle;

(7) An examination, in consultation with the office of the superintendent of public instruction, of opportunities to address the financial need of students for whom the cost of driver training education offered as part of a traffic safety education program may pose a hardship, through a grant or other financial assistance program. The examination must include quantified estimates of the extent to which the cost of driver training education could pose a significant obstacle, as well as possible approaches to help reduce or eliminate this obstacle; and

(8) An assessment of approaches used by other states that require driver training by persons age 18 and older, including examination of how this has impacted traffic safety in the state and the extent to which the requirement may have decreased access to driver's licenses, including through examination of the rate of driver's license holders by age and other demographic characteristics compared to that of neighboring, or otherwise similarly situated, states.

Sec. 613. 2023 c 472 s 701 (uncodified) is amended to read as follows:

INFORMATION TECHNOLOGY OVERSIGHT

The following transportation projects are subject to the conditions, limitations, and review provided in section 701(2) through (12), chapter 475, Laws of 2023 (omnibus operating appropriations act):

~~((2))~~ (1) For the department of licensing: Website accessibility and usability, and to upgrade and improve prorated and fuel tax system; and

~~((3))~~ (2) For the department of transportation: Linear referencing system (LRS) and highway performance monitoring system (HPMS) replacement, and transportation reporting and accounting information system (TRAINS) upgrade and PROPEL – WSDOT support of one Washington ~~(and capital systems replacement)~~.

NEW SECTION. Sec. 614. A new section is added to 2023 c 472 (uncodified) to read as follows:

(1) The transportation carbon emissions reduction account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account are intended to effect reductions in transportation sector carbon emissions through a variety of carbon reducing investments. Such investments may include, but are not limited to: Transportation alternatives to single occupancy passenger vehicles; reductions in single occupancy passenger vehicle miles traveled; reductions in per mile emissions in vehicles, including through the funding of alternative fuel infrastructure and incentive programs; and emission reduction programs for freight transportation, including motor vehicles and rail, as well as for ferries and other maritime and port activities. Expenditures from the account may be made only for transportation carbon emission reducing purposes and may not be made for highway purposes authorized under the 18th Amendment of the Washington state Constitution, other than as specified in this section, and must be made in accordance with subsection (2) of this section. It is the legislature's intent that expenditures from the account used to reduce carbon emissions be made with the goal of achieving equity for communities that historically have been omitted or adversely impacted by past

transportation policies and practices.

(2) Appropriations in an omnibus transportation appropriations act from the transportation carbon emissions reduction account must be made exclusively to fund the following activities:

- (a) Active transportation;
- (b) Transit programs and projects;
- (c) Alternative fuel and electrification;
- (d) Ferries; and
- (e) Rail.

(3) Unless otherwise specified in this act, appropriations in chapter 472, Laws of 2023 (2023-2025 biennial transportation appropriations act), and chapter . . . , Laws of 2024 (this act), which are appropriated from the carbon emissions reduction account in amounts provided beginning before January 1, 2025, shall be paid from the transportation carbon emissions reduction account as if they were appropriated from that account, beginning on the effective date of Initiative Measure No. 2117.

(4) Any residual balance of funds remaining in the carbon emissions reduction account on or after the effective date of Initiative Measure No. 2117 must be transferred by the state treasurer to the transportation carbon emissions reduction account.

(5) Any amounts provided from the carbon emissions reduction account in chapter . . . , Laws of 2024 (this act) and which are specified to begin January 1, 2025, must lapse.

(6) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section has no force and effect.

(7) This section expires July 1, 2025.

NEW SECTION. Sec. 615. (1) This section is the tax preference performance statement for section 608, chapter . . . , Laws of 2024 (section 608 of this act). This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for the preferential tax treatment.

(2) The tax preference performance statement in section 413, chapter 44, Laws of 2015 3rd sp. sess. applies to the expansion of the tax preference in section 608 of this act.

NEW SECTION. Sec. 616. A new section is added to 2023 c 472 (uncodified) to read as follows:

Appropriations in this act from the natural climate solutions account, carbon emissions reduction account, climate transit programs account, and climate active transportation account are subject to the requirements of RCW 70A.65.030.

MISCELLANEOUS

NEW SECTION. Sec. 701. 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. 702. Except for section 602 of this act, 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.

NEW SECTION. Sec. 703. Section 602 of this act takes effect only if chapter . . . (Substitute House Bill No. 2489), Laws of 2024 (new special license plates) is enacted by June 30, 2024."

On page 1, line 1 of the title, after "appropriations;" strike the remainder of the title and insert "amending RCW 14.40.020, 46.18.060, 46.68.320, 46.68.510, 47.12.244, 47.68.090, 82.70.020, 82.70.040, and 82.70.900; amending 2023 c 472 ss 101, 105, 108, 109, 111, 114, 110, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 301, 302, 304, 305, 306, 307, 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 601, 606, 609, and 701 (uncodified); amending 2022 c 182 s 503 (uncodified); amending

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2023 c 445 s 1 (uncodified); reenacting and amending RCW 46.68.300; adding new sections to 2023 c 472 (uncodified); creating a new section; making appropriations and authorizing expenditures for capital improvements; providing a contingent effective date; providing expiration dates; and declaring an emergency."

And the bill do pass as recommended by the conference committee.

Signed by Senators King, Liias and Shewmake; Representatives Barkis, Fey and Paul.

MOTION

Senator Liias moved that the Report of the Conference Committee on Engrossed Substitute House Bill No. 2134 be adopted.

Senators Liias, King and Fortunato spoke in favor of passage of the motion.

The President declared the question before the Senate to be the motion by Senator Liias that the Report of the Conference Committee on Engrossed Substitute House Bill No. 2134 be adopted.

The motion by Senator Liias carried and the Report of the Conference Committee was adopted by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2134, as recommended by the Conference Committee.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2134, as recommended by the Conference Committee, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134, as recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Hunt: "Thank you Mr. President. I want to start by, with all these sparkly ladies around here, about a long tradition that I have tried to carry out in the Legislature, and that is white shoes on sine die. Which I have done for the last ten or twelve years. Going back, I can think of Bill Chatalas, Gene Lux, Bob Basich, Dave Quall and John McCoy over the years who started this tradition of white shoes for sine die. So, somebody else is going to have to buy white shoes next year.

You know Mr. President, on the wall in my office is a framed poster from the 1950 Pendleton Roundup. Yes, I lived in Pendleton then. On a bright orange background, it features a cowboy on a wild bucking bronco, captioned "LET 'ER BUCK." I have been riding that bronco as a Washington state legislator

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and have managed to stay on that bronco through 10 sessions and nearly 24 years. However, the time has come to move, let somebody else face the challenges of being a state senator. I will not seek reelection in 2024; it is time for someone else to climb in the saddle.

During my time in the Legislature, 16 years in the House and eight in the Senate, I have seen a lot of changes and worked on many bills that became law, and many of course that did not, including some of mine. I started here as a staffer in 1981. There was one mainframe computer. Everything else was typed or handwritten. Each member had bill books, large binders located in the big rectangles, if you look behind your desk, that's what they were for. It had all of the bills in it. And every night the bill room staff would come in and they would take bills out, put new bills in and even tape or glue amendments onto the bills for the legislators in both houses and numerous staff people. Quite a job. Bills, schedules, status books, bill reports, all those things were in the legislative bill room, the first stop of most people as they came to the capitol on each morning. And that is down on the first floor just as you come into the Leg building. TVW, remote participation, nowhere in sight. But we did have a large capitol press corps covering our every move, something that has changed quite a bit. And my career in Olympia has centered on the legislature. Seven years as a senate staff member. Two years working for Governor Gardner. Seven years as Legislative Director at the Department of Information. And now, almost 24 years in the Legislature.

1981 saw defection of a republican senator to the, of a democratic senator to the republican side and an attempt to fire 63 of us. I was on the Ways & Means staff at that time because of our democratic ties. We went to court, and we won a case.

Anyway, 2001, my first year in the House we were all shook up by the Nisqually earthquake that closed this building for the session and moved us into portables and in the O'Brien building we saw ceiling tiles falling and lights blacking out and all sorts of stuff. A rather scary experience.

But I am particularly proud that under my guidance, we have the most secure, accurate, accessible election system in the country. Washington is indeed a model for other states to follow. We passed landmark legislation, vote-by-mail, online and election day registration, paid return postage, secure ballot drop boxes, and many other things that help us lead the way. As a union member, and I am a proud union member, and state employee, it was an honor to work to pass collective bargaining for state employees. Lies, laws I sponsored, I probably sponsored some lies too, but laws I sponsored to reduce mercury in the environment have sharply reduced its use and oddly enough my last amendment that I have done on this floor was on a new mercury bill to extend the law to allow us to eliminate mercury entirely by 2035.

I also worked on civil rights, including marriage equality which changed drastically from a prohibition on marriage to marriage equality during my time in the legislature. And I think one of my proudest achievements was serving 11 years as Chair of the House Democratic Campaign Committee, which started what is the longest majority of any legislative caucus in the history of the country. Or at least in the country now.

It was a real honor to represent the Washington Legislature as Chair of the Council of State Governments West and the national Chair of the Council of State Governments.

We have seen impressive increases in funding for education from preschool through higher education, including the Elson S. Floyd School of Medicine at Washington State University, GO COUGS! – I had to get that in there somewhere. The second Tacoma Narrows Bridge, a wider I-5 between Olympia and

Seattle, I-90 across Snoqualmie Pass.

On our campus we've seen the Jefferson and Sommers Buildings as well as major renovations to the Legislative Building. Skylights returning soon, we hope. Thank you Senator Mullet. And construction of other major things. The list of accomplishments goes on.

I would like to thank the many legislators with whom I have served, as well as the bright and dedicated and competent staff who served the Legislature to help us do our work. Without civility among members working together and the excellent staff, Washington would not be in the great shape we find it today. This is truly a great extended family that I have been proud to be a member of.

I want to give special thanks to you, Lt. Governor Heck, with whom I have worked and sometimes worked against in the olden days when legislative staff did more to recruit candidates for the Senate and House. I remember you telling me that Stuart Halsan would never get elected to the Senate. Ha Ha. There we go. For a lasting friendship and support I especially thank you for one of my trips to D.C. when you arranged for me to meet with the late great Representative John Lewis in the U.S. Capitol Building. Just an honor beyond belief to meet with that great civil rights leader. And, you know, it has just been wonderful. I also thank you for many hours of friendship and sometimes letting me win at pinocle, as we do some evenings. It's been wonderful. And the discussions we have it's just, I treasure you and honor you.

And I have to give thanks to a special gift, my Legislative Assistant Meagan Arndt who has been with me all 24 years. How she did that I will never know but...F:\Journal\2024 Journal\Journal2024\LegDay060\Senate applause for Ms. Megan Arndt.doc...I could not have done this job without her and the excellent session staff I have had throughout the years. She keeps me on task, on schedule. And my staff has helped keep things working. I think they dislike emails just as much as I do sometimes.

And I owe a special thanks to my family, my late wife Charlene who was always there to assist and support, son Nathan and wife Amanda, daughter Hillary, grandson Rory, and special friend Roberta for all the support and courage while putting up with me during the time in office. I look forward the next challenges. Maybe sending you all a postcard from spring training in Arizona next year while you're laboring away. But anyway, I wish you the best of luck. It has been a great ride. And I thank each and every one of you for the ability to work with you and share things with you. May God bless and it's time to say 'Let 'er Buck!,'"

REMARKS BY THE PRESIDENT

President Heck: "Senator Hunt. Those were eloquent remarks indeed. They have earned you a trip to the rostrum. Please come forward.

Senator Hunt, you have been my friend for more than 40 years. It has been an honor to serve with you these last three-plus years. You remind me of something that somebody we both knew and I think we both respected, Congressman Sid Morrison, former state Senator Sid Morrison used to say, which is 'The goal of this place is to leave the campsite better than you found it', you have indeed left the campsite better than you found it. And I would like to present to you, on behalf of your friends and family, and to acknowledge them again; daughter Hilary; son Nathan; and grandson Rory; the following: First this football, signed by I don't know who, but somebody associated with the program. It says 'Happy Retirement Sam' with, of course, the Cougar symbol.

Wait, this is way cooler. A Cougar jersey with his legislative district and his name on the back."

"During this brief pause as we bring additional paperwork forward, I'm wondering if I could ask you indulgence by asking you all to stand once again and join me in a brief prayer?"

MOMENT OF PRAYER

President Heck: "Oh Creator, thank You for listening. We know You have welcomed into our arms in the last two days a longtime former member of the legislative family, Grant Nelson. He was a good and professional advocate, and we know that You will wrap Your arms around him and welcome he and his soul.

We ask You also to put Your healing hands upon his family, especially his father, Gary Nelson, a longtime member of the state House of Representatives and state Senate. Grant will be missed here for all that he did and for all that he stood for.

We ask all these things in Your name, whose wisdom surpasses all human understanding. Amen."

MESSAGE FROM THE HOUSE

March 7, 2024

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on ENGROSSED SUBSTITUTE SENATE BILL NO. 5950 and has passed the bill as recommended by the Conference Committee.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

REPORT OF THE CONFERENCE COMMITTEE

Engrossed Substitute Senate Bill No. 5950

March 7, 2024

MR. PRESIDENT:

MR. SPEAKER:

We of your conference committee, to whom was referred Engrossed Substitute Senate Bill No. 5950, have had the same under consideration and recommend that all previous amendments not be adopted and that the following striking amendment be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** 2023 c 475 s 1 (uncodified) is amended to read as follows:

(1) A budget is hereby adopted and, subject to the provisions set forth in the following sections, the several amounts specified in parts I through IX of this act, or so much thereof as shall be sufficient to accomplish the purposes designated, are hereby appropriated and authorized to be incurred for salaries, wages, and other expenses of the agencies and offices of the state and for other specified purposes for the fiscal biennium beginning July 1, 2023, and ending June 30, 2025, except as otherwise provided, out of the several funds of the state hereinafter named.

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

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

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

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

(d) "Fiscal year 2024" or "FY 2024" means the fiscal year ending June 30, 2024.

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(e) "Fiscal year 2025" or "FY 2025" means the fiscal year ending June 30, 2025.

(f) "FTE" means full time equivalent.

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

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

(i) "The office of the chief information officer" or "consolidated technology services" means Washington technology solutions, if Substitute House Bill No. 1947 (technology governance) is enacted.

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

NEW SECTION. Sec. 2. A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, agencies may not obligate or expend funds from: (a) The climate investment account; (b) the climate commitment account; (c) the natural climate solutions account; and (d) the air quality and health disparities improvement account.

(2) If Initiative Measure No. 2117 is approved in the 2024 general election, except where otherwise specifically provided in this act, appropriations in chapter 474, Laws of 2023 (2023-2025 biennial capital budget), Senate Bill No. 5949 (the 2024 supplemental capital budget), chapter 475, Laws of 2023 (2023-2025 operating budget), and Senate Bill No. 5950 (the 2024 supplemental operating budget), which are appropriated from the: (a) Climate investment account; (b) climate commitment account; (c) natural climate solutions account; and (d) air quality and health disparities improvement account, shall be paid from the consolidated climate account created in section 907 of this act as if they were appropriated from the consolidated climate account, beginning on the effective date of Initiative Measure No. 2117.

(3) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

**PART I
GENERAL GOVERNMENT**

Sec. 101. 2023 c 475 s 101 (uncodified) is amended to read as follows:

FOR THE HOUSE OF REPRESENTATIVES

General Fund—State	Appropriation	(FY 2024)	
			.....((\$59,938,000))
			\$62,051,000
General Fund—State	Appropriation	(FY 2025)	
			.....((\$62,150,000))
			\$62,841,000
TOTAL APPROPRIATION.....			((\$122,088,000))
			\$122,892,000

Sec. 102. 2023 c 475 s 102 (uncodified) is amended to read as follows:

FOR THE SENATE

General Fund—State	Appropriation	(FY 2024)	
			.....((\$44,398,000))
			\$44,379,000
General Fund—State	Appropriation	(FY 2025)	
			.....((\$47,773,000))
			\$48,193,000
TOTAL APPROPRIATION.....			((\$92,171,000))

\$92,572,000

The appropriations in this section are subject to the following conditions and limitations: \$260,000 of the general fund—state appropriation for fiscal year 2024 and \$270,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the payment of membership dues to the council of state governments, the national conference of state legislatures, the pacific northwest economic region, the pacific fisheries legislative task force, and the western legislative forestry task force.

Sec. 103. 2023 c 475 s 103 (uncodified) is amended to read as follows:

FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

Performance Audits of Government Account—State	
Appropriation.....	((\$14,936,000))
	\$15,427,000
TOTAL APPROPRIATION.....	((\$14,936,000))
	\$15,427,000

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

(1) Notwithstanding the provisions of this section, the joint legislative audit and review committee may adjust the due dates for projects included on the committee's 2023-2025 work plan as necessary to efficiently manage workload.

(2) \$250,000 of the performance audits of government account—state appropriation is for tax preference review costs from legislation enacted in the 2023 session.

(3) \$1,503,000 of the performance audits of government account—state appropriation is for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$626,000 of the performance audits of government account—state appropriation is for the audit required in Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) Within the amount appropriated in this section, the joint legislative audit and review committee shall conduct a review of the state's recreational boating programs. The committee shall complete the review by December 1, 2024. This review shall include examination of the following:

- (a) Revenue sources for state recreational boating programs;
- (b) Expenditures for state boating programs;
- (c) Methods of administrating state recreational boating programs, including the roles of both state and local government entities; and
- (d) Approaches other states have taken to funding and administering their recreational boating programs.

(6) \$2,000 of the performance audits of government account—state appropriation is for implementation of Engrossed Substitute House Bill No. 2131 (thermal energy networks). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(7) \$47,000 of the performance audits of government account—state appropriation is for tax preference review costs from legislation enacted in the 2024 session.

(8)(a) \$400,000 of the performance audits of government account—state appropriation is for the joint legislative audit and review committee to:

(i) Review the department of children, youth, and families-juvenile rehabilitation program's existing processes and staffing methodology used for determining adequate staffing ratios to meet the confinement and rehabilitative needs of the juveniles and

ensure public safety;

(ii) Review procedures and protocols for professional development, hiring and recruitment, and training for staff serving youth in juvenile rehabilitation institutions, with a focus on how staff are trained to implement rehabilitative practices;

(iii) Review youth access to programming, treatment, and services including, but not limited to, educational programming, treatment and services for youth experiencing substance use disorder, behavioral health treatment, available reentry services such as housing, job training, and other supports, access to technology services, family and community connections, and other programming and services offered by the department to provide youth with rehabilitation and restorative interventions;

(iv) Review existing security and safety measures, including the use of disciplinary procedures for total isolation and room confinement, adopted by the department and their effectiveness in meeting the unique needs of the juvenile population in the custody of the department;

(v) Review how often and how many youth face new juvenile or adult criminal offense charges, convictions, or both while residing at juvenile rehabilitation institutions and potential future consequences that may occur as a result such as sentence extension, likelihood of recidivism, health impacts, and effects regarding criminal records;

(vi) Assess gender equity regarding education, employment, and career options for female youth;

(vii) Review how staffing impacts youth-on-youth conflict and safety;

(viii) Review best practices from other states regarding security and safety measures, programming opportunities, reentry supports, staff training and professional development, and staffing ratios, and identify options that may be feasible to adopt in Washington state to increase public safety and the security, programming options, treatment services, and rehabilitation mission of the department's juvenile rehabilitation institutions;

(ix) Review the department's existing processes for responding to critical incidents, including communication and cooperation with local law enforcement, and identify areas for improvement; and

(x) Review the impacts of changes in average daily population, longer lengths of stay, longer sentences, increases in maximum age of release, increases in more serious offense types and adult sentences, and related effects of chapter 322, Laws of 2019.

(b) The joint legislative audit and review committee shall report its findings and recommendations to the governor and the appropriate committees of the legislature by June 30, 2026. The report shall include recommendations on supporting the juvenile rehabilitation program's efforts to gradually move young people from carceral settings to least restrictive environments to improve positive reentry outcomes.

Sec. 104. 2023 c 475 s 104 (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Performance Audits of Government Account—State Appropriation.....	((\$5,326,000))
	\$5,340,000
TOTAL APPROPRIATION.....	((\$5,326,000))
	\$5,340,000

Sec. 105. 2023 c 475 s 105 (uncodified) is amended to read as follows:

FOR THE JOINT LEGISLATIVE SYSTEMS COMMITTEE

General Fund—State Appropriation (FY 2024)	((\$21,727,000))
	<u>\$21,469,000</u>

General Fund—State Appropriation (FY 2025)	((\$19,625,000))
	\$20,862,000
TOTAL APPROPRIATION	((\$41,352,000))
	\$42,331,000

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

Sec. 106. 2023 c 475 s 106 (uncodified) is amended to read as follows:

FOR THE OFFICE OF STATE LEGISLATIVE LABOR RELATIONS

General Fund—State Appropriation (FY 2024)	\$961,000
General Fund—State Appropriation (FY 2025) ...	((\$964,000))
	\$965,000
TOTAL APPROPRIATION	((\$1,925,000))
	\$1,926,000

Sec. 107. 2023 c 475 s 107 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE STATE ACTUARY

General Fund—State Appropriation (FY 2024)	\$409,000
General Fund—State Appropriation (FY 2025)	\$423,000
State Health Care Authority Administrative Account—	
State Appropriation	\$291,000
Department of Retirement Systems Expense Account—	
State Appropriation	((\$7,102,000))
	\$7,127,000
School Employees' Insurance Administrative Account—	
State Appropriation	\$258,000
TOTAL APPROPRIATION	((\$8,483,000))
	\$8,508,000

Sec. 108. 2023 c 475 s 108 (uncodified) is amended to read as follows:

FOR THE STATUTE LAW COMMITTEE

General Fund—State Appropriation (FY 2024) ((\$6,201,000))	\$6,193,000
General Fund—State Appropriation (FY 2025) ((\$6,808,000))	\$6,863,000
TOTAL APPROPRIATION	((\$13,009,000))
	\$13,056,000

Sec. 109. 2023 c 475 s 109 (uncodified) is amended to read as follows:

FOR THE OFFICE OF LEGISLATIVE SUPPORT SERVICES

General Fund—State Appropriation (FY 2024) ((\$5,852,000))	\$5,887,000
General Fund—State Appropriation (FY 2025) ((\$6,465,000))	\$6,702,000
TOTAL APPROPRIATION	((\$12,317,000))
	\$12,589,000

Sec. 110. 2023 c 475 s 111 (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund—State Appropriation (FY 2024)	((\$14,883,000))
	\$14,870,000
General Fund—State Appropriation (FY 2025)	((\$15,196,000))
	\$16,386,000
TOTAL APPROPRIATION	((\$30,079,000))
	\$31,256,000

Sec. 111. 2023 c 475 s 112 (uncodified) is amended to read as follows:

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FOR THE COMMISSION ON JUDICIAL CONDUCT

General Fund—State Appropriation (FY 2024).	(\$2,225,000)
	<u>\$2,222,000</u>
General Fund—State Appropriation (FY 2025).	(\$2,206,000)
	<u>\$2,221,000</u>
TOTAL APPROPRIATION.....	(\$4,431,000)
	<u>\$4,443,000</u>

Sec. 112. 2023 c 475 s 113 (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund—State Appropriation (FY 2024)	(\$25,901,000)
	<u>\$28,173,000</u>
General Fund—State Appropriation (FY 2025)	(\$26,491,000)
	<u>\$27,771,000</u>
TOTAL APPROPRIATION.....	(\$52,392,000)
	<u>\$55,944,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$764,000 of the general fund—state appropriation for fiscal year 2024 and \$764,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5046 (postconviction counsel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

Sec. 113. 2023 c 475 s 114 (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund—State Appropriation (FY 2024)	(\$123,740,000)
	<u>\$125,457,000</u>
General Fund—State Appropriation (FY 2025)	(\$118,331,000)
	<u>\$125,109,000</u>
General Fund—Federal Appropriation	\$2,209,000
General Fund—Private/Local Appropriation.....	\$681,000
Judicial Stabilization Trust Account—State	
Appropriation.....	(\$112,345,000)
	<u>\$122,817,000</u>
Judicial Information Systems Account—State	
Appropriation.....	\$79,530,000
<u>Opioid Abatement Settlement Account—State</u>	
<u>Appropriation</u>	<u>\$479,000</u>
TOTAL APPROPRIATION.....	(\$436,836,000)
	<u>\$456,282,000</u>

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

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

(2)(a) \$7,000,000 of the general fund—state appropriation for fiscal year 2024 and \$7,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for distribution to county juvenile court administrators for the costs associated with processing and case management of truancy, children in need of services, and at-risk youth referrals. The administrator for the courts, in conjunction with the juvenile court administrators, shall develop an equitable funding distribution formula. The formula must neither reward counties with higher than average per-petition/referral processing costs nor shall it penalize counties with lower than average per-petition/referral processing costs.

(b) Each fiscal year during the 2023-2025 fiscal biennium, each

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

(3) \$1,094,000 of the general fund—state appropriation for fiscal year 2024 and \$1,094,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the statewide fiscal impact on Thurston county courts. It is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(4) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the ~~(general fund—state appropriation for fiscal year 2025)~~ judicial stabilization trust account—state appropriation are provided solely for distribution to local courts for costs associated with the court-appointed attorney and visitor requirements set forth in the uniform guardianship act, chapter 11.130 RCW. If the amount provided in this subsection is insufficient to fully fund the local court costs, distributions must be reduced on a proportional basis to ensure that expenditures remain within the available funds provided in this subsection. No later than December 31, 2023, the administrative office of the courts will provide a report on distributions to local courts including, but not limited to, the amount provided to each court, the number of guardianship cases funded at each court, costs segregated by attorney appointments and court visitor appointments, the amount of any pro rata reductions, and a recommendation on how to forecast distributions for potential future funding by the legislature.

(5) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to use as matching funds to distribute to small municipal and county courts, located in a rural county as defined in RCW 43.160.020, for the purpose of increasing security for court facilities. Grants must be used solely for security equipment and services for municipal, district, and superior courts and may not be used for staffing or administrative costs.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the administrative office of the courts to provide grants to superior courts for the purpose of creating or expanding sanitary lactation spaces or pods that provide privacy for courthouse visitors needing to breastfeed or express breast milk.

(7)(a) \$250,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$1,100,000 of the judicial stabilization trust account—state appropriation are provided solely for the administrative office of the courts to contract with an equity and justice nonprofit organization to expand the capacity of the existing equity dashboard program. The contract must review and organize newly available criminal case data with the goal of consolidating and collecting adult felony case data to determine disparities in the legal justice system. The equity dashboard program must be expanded to include adult felony case data that is consolidated, interactable, transparent, and accessible to the public.

(b) Of the amounts provided in this subsection for fiscal year 2025, the \$1,000,000 in funding shall be split evenly between two equity and justice nonprofit organizations for the purpose of

continuing the work of the existing public equity data dashboard on the collection of sentencing data and expanding their work to partner with a nonprofit organization that advocates for equity in technology and education to provide the public with data on social determinants that impact education outcomes. The organization that promotes equity in education must be a coalition that advocates for an educational system that promotes racial equity and focuses on ensuring that the race of a child and the child's address are not the predicated factors in defining their success.

(8) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1766 (protection orders/hope cards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(9) \$1,090,000 of the general fund—state appropriation for fiscal year 2024 and \$1,090,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to address data quality issues across Washington state court management systems.

(10) \$51,428,000 of the judicial stabilization trust account—state appropriation is provided solely to establish a direct refund process to individuals to refund legal financial obligations, collection costs, and document-verified costs paid to third parties previously paid by defendants whose convictions have been vacated by court order due to the *State v. Blake* ruling. Superior court clerks, district court administrators, and municipal court administrators must certify and send to the office the amount of any refund ordered by the court. The court order must either contain the amount of the refund or provide language for the clerk or court administrator to certify to the office the amount to be refunded to the individual.

(11) \$1,627,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$1,812,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for activities of the office relating to the resentencing or vacating convictions of individuals and refund of legal financial obligations and costs associated with the *State v. Blake* ruling. In addition to contracting with cities and counties for the disbursement of funds appropriated for resentencing costs, the office must:

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

(b) In collaboration with the office of public defense and the office of civil legal aid, establish a process that can be used by individuals seeking a refund, provide individuals information regarding the application process necessary to claim a refund, and issue payments from the refund bureau to individuals certified in subsection (10) of this section; and

(c) Collaborate with counties and municipalities to adopt standard coding for application to *State v. Blake* convictions and to develop a standardized practice regarding vacated convictions.

(12) \$38,000,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties with costs of complying with the *State v. Blake* decision that arise from the county's role in operating the state's criminal justice system, including resentencing, vacating prior convictions for simple drug possession, and certifying refunds of legal financial obligations and collections costs. The office shall contract with counties for judicial, clerk, defense, and prosecution expenses for these purposes if requested by a county. A county may designate the office to use available funding to administer a vacate process, or

a portion of the vacate process, on behalf of the county. The office must collaborate with counties to adopt standard coding for application to *Blake* convictions and to develop a standardized practice regarding vacated convictions.

(13) \$11,500,000 of the judicial stabilization trust account—state appropriation is provided solely to assist cities with costs of complying with the *State v. Blake* decision that arise from the city's role in operating the city's criminal justice system, including vacating prior convictions for simple drug possession, to include cannabis and possession of paraphernalia, and certifying refunds of legal financial obligations and collections costs. The office shall contract with cities for judicial, clerk, defense, and prosecution expenses for these purposes if requested by a city. A city may designate the office to use available funding to administer a vacate process, or a portion of the vacate process, on behalf of the city. The office must collaborate with cities to adopt standard coding for application to *Blake* convictions and to develop a standardized practice regarding vacated convictions.

(14) \$439,000 of the general fund—state appropriation for fiscal year 2024 and \$304,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5128 (jury diversity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(15) ~~(\$1,560,000)~~ \$40,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~, \$1,520,000 of the general fund—state appropriation for fiscal year 2025, and \$169,000 of the judicial stabilization trust account—state appropriation are provided solely for the office to administer a jury pay pilot program in Pierce county. Funding must be used to increase jury pay up to ~~(\$50)~~ \$100 for each day served in Pierce county superior court. The funds provided in this subsection must supplement, and not supplant, existing local funding for juror pay. The office must compare juror demographics after the pay increase as compared to data collected from the 2022 jury demographic survey to measure the impact increasing juror pay has on jury diversity and juror response rates.

(16) \$1,800,000 of the judicial stabilization trust account—state appropriation is provided solely for distribution to counties to help cover the cost of electronic monitoring with victim notification technology when an individual seeking a protection order requests electronic monitoring with victim notification technology from the court and the respondent is unable to pay. Of the amount provided in this subsection, up to five percent of the funding each fiscal year may be used by the office for education and outreach to the courts regarding this technology.

(17) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1102 (judge pro tempore compensation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(18) \$20,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute House Bill No. 1562 (violence). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) \$109,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed House Bill No. 1324 (prior juvenile offenses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(20) \$659,000 of the general fund—state appropriation for fiscal year 2024 and \$639,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development and expansion of online and on-demand eLearning courses offered through the WACOURTS education portal for

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judicial officers, administrators, clerks, assistants, and other staff employed in state and local courts.

(21) \$686,000 of the general fund—state appropriation for fiscal year 2024 and \$686,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to fund public guardianship services provided by the office of public guardianship.

(22) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the administrative office of the courts to develop a sequential intercept model pilot program. The intercept model pilot program must include the establishment of a coordinated care and services network in courts of limited jurisdiction located in two counties, one county east of the crest of the Cascade mountains and one county west of the crest of the Cascade mountains.

(a) In developing the pilot program, the administrative office of the courts must consult local government, the district and municipal court judges' association, the health care authority, the department of social and health services, the department of health, law enforcement agencies, and other impacted stakeholders as identified by the administrative office of the courts.

(ii) The pilot project shall include any sequential intercept mapping that is necessary to determine the availability of willing stakeholders and to determine gaps in services and programs in the geographic area served by the proposed coordinated care and services network.

(iii) The pilot project may include the use of a common source of peer support services as the means to link affected persons to the coordinated care and services network from the various intercepts in the sequential intercept model.

(iv) No court may be required by the administrative office of the courts to participate in the pilot program.

(v) For the purposes of this pilot project, "stakeholder" may include any public or private entity or individual that provides services, funds, or goods related to housing, shelter, education, employment, substance use disorder treatment or other behavioral health treatment, medical treatment, dental treatment, peer support, self-help, crisis care, income assistance, nutritional assistance, clothing, assistance with public benefits, or financial management and other life skills education.

(vi) The pilot project ends June 1, 2025. The administrative office of the courts shall submit a report to the legislature detailing the work of the pilot program project, which must include recommendations, if any, for continuation, modification, or expansion of the pilot program to other regions of the state, no later than June 30, 2025.

(23) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Washington state center for court research of the administrative office of the courts to conduct a study of legal financial obligations (LFO) charged by superior courts, juvenile courts, and courts of limited jurisdiction, including the reviews required in Engrossed Substitute House Bill No. 1169 (legal financial obligations). The administrative office of the courts must submit a report of the findings to the appropriate committees of the legislature by November 30, 2023. At a minimum, the study must include statewide and county-level data that shows, during the previous five state fiscal years that data is available:

(a) The total number of juvenile and criminal cases handled by court, the number of cases where legal financial obligations were imposed pursuant to chapter 13.40 RCW, the percentage of cases where legal financial obligations were not imposed, and the total amount of legal financial obligations that were collected;

(b) The total amount assessed to, collected from, and waived

for all individuals, in fees, court costs, fines, and restitution, disaggregated by the defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court, for each of the last five years data is available;

(c) The average amount assessed, collected, and waived per case by fines, fees, and restitution, disaggregated by defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court for each of the last five years data is available;

(d) The average amount collected per case by fines, fees, and restitution, disaggregated by defendants' age at the time of adjudication or conviction, race, gender, LFO type, and charging court, for each of the last five years data is available;

(e) The estimated annual collection rate for restitution and nonrestitution LFOs for the last five years data is available;

(f) An estimate of the proportion of restitution assessed, disaggregated by victim type including natural persons, businesses, state agencies, and insurance companies, for each of the last five years data is available;

(g) The percentage, number of cases, and total amount of legal financial obligations that are uncollectible pursuant to RCW 13.40.190 or 13.40.192, or other statutory authority for the expiration of legal financial obligation debt including debt assessed in criminal cases; and

(h) The total amount of outstanding debt owed in fees, court costs, fines, and restitution, disaggregated by the defendants' age at the time of adjudication or conviction, race, gender, legal financial obligation type, charging court, and date of assessment.

(24) \$653,000 of the general fund—state appropriation for fiscal year 2024 and \$264,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) Funding in this section is sufficient to reimburse courts participating in the interpreter program for up to 100 percent of interpreter costs in fiscal years 2024 and 2025.

(26) \$60,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the administrative office of the courts to compile and submit a report to the fiscal and appropriate committees of the legislature by December 1, 2024. The report must include:

(a) A summary of the count of individuals whose juvenile points were used in calculating their current offender score in total, and by county, as identified by the department of corrections in section 223(2)(v) of this act;

(b) The estimated cost per county on how much resentencing for the individuals identified by the department of corrections in section 223(2)(v) of this act, would cost the county;

(c) Each county's assumptions for the cost per individual case, how long each case is estimated to take, and how many cases the county assumes they can complete by fiscal year given staffing levels in fiscal years 2025 through 2027.

(27)(a) \$165,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state center for court research of the administrative office of the courts to continue the study on legal financial obligations (LFO) charged by superior courts and courts of limited jurisdiction. The administrative office of the courts must submit a preliminary report to the appropriate committees of the legislature by November 30, 2024, and a final report by June 30, 2025. At a minimum, the report must include statewide data that shows, disaggregated by court type, LFO type, charge type, court user demographics, and community characteristics, during the previous five state fiscal years that data is available:

(i) The total number of juvenile and criminal cases handled by court, the number of cases where legal financial obligations were imposed pursuant to chapter 13.40 RCW, the percentage of cases where LFOs were imposed, and the total amount of LFOs that were collected;

(ii) The total amount assessed to, collected from, and waived for all individuals, in fees, court costs, fines, and restitution disaggregated by the defendants' age at the time of adjudication or conviction, the underlying charge, race, gender, LFO type, and charging court;

(iii) An estimate of the proportion of restitution owed in all cases, disaggregated by victim type including natural persons, businesses, state agencies, and insurance companies; and

(iv) A description of community level impact of LFO imposition measured as a ratio of aggregate debt to household income.

(b) Superior courts and courts of limited jurisdiction that do not enter their LFO data into a statewide data management system must provide their LFO data to the administrative office of the courts at dates to be set by the office to be included in the statewide report.

(c) Within the amounts provided in this subsection, the administrative office of the courts shall form a stakeholder group to review the report and make recommendations for data development and reporting topics.

(28) \$218,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5836 (Clark county superior court). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(29) \$850,000 of the judicial stabilization trust account—state appropriation is provided solely for additional education and training for judicial officers and staff, and partial reimbursement for pro tempore coverage for judicial officers' education attendance. Of the amount provided in this subsection, \$350,000 shall be solely used for the training and education activities of the courts of limited jurisdiction and \$500,000 shall be solely used for the training and education activities for superior courts.

(30) \$8,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Substitute House Bill No. 1241 (harassment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(31) \$70,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed House Bill No. 1964 (prorate & fuel tax collect). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(32) \$218,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of House Bill No. 1992 (superior court/Whatcom). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(33) \$560,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2384 (traffic safety cameras). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(34) \$2,094,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5825 (guardianship). During the fiscal biennium, in conformity with RCW 2.72.030, the administrative office of the courts shall collect uniform and consistent data on decision making assistance to include, but not limited to: The number of requests for decision making assistance received from hospitals, the number of guardianships and less restrictive alternatives to guardianships provided, the support and

housing provided, and any other data related to case monitoring and management. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(35) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5828 (water rights commissioners). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(36) \$51,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5974 (unenforceable LFOs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(37) \$248,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6068 (dependency outcome reporting). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(38) \$479,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 114. 2023 c 475 s 115 (uncodified) is amended to read as follows:

FOR THE OFFICE OF PUBLIC DEFENSE

General Fund—State	Appropriation (FY 2024)	
.....		(\$66,616,000)
		\$66,902,000
General Fund—State	Appropriation (FY 2025)	
.....		(\$70,129,000)
		\$70,781,000
General Fund—Federal Appropriation.....		\$385,000
Judicial Stabilization Trust Account—State		
Appropriation		(\$9,894,000)
		\$16,218,000
TOTAL APPROPRIATION		(\$147,024,000)
		\$154,286,000

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

(1) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the purpose of improving the quality of trial court public defense services as authorized by chapter 10.101 RCW. The office of public defense must allocate these amounts so that \$450,000 per fiscal year is distributed to counties, and \$450,000 per fiscal year is distributed to cities, for grants under chapter 10.101 RCW.

(2) ~~(\$6,000,000)~~ \$8,863,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties with public defense services related to vacating the convictions of defendants and/or resentencing for defendants whose convictions or sentences are affected by the *State v. Blake* decision. Of the amount provided in this subsection:

(a) ~~(\$900,000)~~ \$1,863,000 of the judicial stabilization trust account—state appropriation is provided solely for the office of public defense to provide statewide attorney training, technical assistance, data analysis and reporting, and quality oversight, to administer financial assistance for public defense costs related to *State v. Blake* impacts, and to maintain a triage team to provide statewide support to the management and flow of hearings for individuals impacted by the *State v. Blake* decision.

(b) ~~(\$5,100,000)~~ \$7,000,000 of the judicial stabilization trust account—state appropriation is provided solely to assist counties in providing counsel for defendants seeking to vacate a conviction and/or be resentenced under *State v. Blake*. Assistance shall be

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allocated to all counties based upon a formula established by the office of public defense. Counties may receive assistance by: (i) Applying for grant funding; and/or (ii) designating the office of public defense to contract directly with counsel.

(3) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to provide prefiling legal representation to pregnant parents and parents of newborns at risk of removal by the department of children, youth, and families.

(4) \$623,000 of the general fund—state appropriation for fiscal year 2024 and \$1,165,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5046 (postconviction counsel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) \$6,863,000 of the general fund—state appropriation for fiscal year 2024 and \$6,602,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5415 (public defense/insanity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$1,434,000 of the general fund—state appropriation for fiscal year 2024 and \$1,434,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the parents for parents program.

(7) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of public defense to establish and operate a telephone consultation line to provide contracted legal counsel for parents, guardians, or legal custodians when the department of children, youth, and families proposes a voluntary placement agreement when there is no pending dependency proceeding under chapter 13.34 RCW pursuant to RCW 13.34.090(4).

(8) \$442,000 of the judicial stabilization trust account—state appropriation is provided solely for the office of public defense to administer a public defense recruitment program to recruit and retain a sufficient pool of qualified attorneys and other public defense professionals. The recruitment program shall engage with students and faculty at colleges and law schools on topics relating to public defense and other public law practices; provide technical assistance and training to county and city public defense coordinators on recruitment strategies including establishment of law clerk programs; and administer a public defense internship program.

(9) \$10,000 of the general fund—state appropriation for fiscal year 2024 and \$40,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of public defense to address emergency safety assistance and other urgent needs for clients served by the parents representation program. Temporary, limited assistance may be made available for short-term housing, utilities, transportation, food assistance, and other urgent needs that, if unaddressed, could adversely impact case outcomes and impede successful family reunification. The office of public defense shall establish eligibility criteria and an expedited process for reviewing financial assistance requests submitted by parents representation program contractors.

(10)(a) \$400,000 of the judicial stabilization trust account—state appropriation is provided solely for the office of public defense to establish and administer a pilot program that provides indigent parents in dependency and termination cases with voluntary access to a social service worker contracted by the office of public defense beginning at a shelter care hearing as described in chapter 13.34 RCW. The social service worker

required under this section should: (i) Provide parent support; (ii) advocate for the parent; and (iii) participate in community child welfare improvement and court improvement meetings.

(b) The pilot program described in this section must be provided in at least two counties.

(c) By June 30, 2025, and in compliance with RCW 43.01.036, the office of public defense shall submit a report to the legislature and the governor that describes the pilot program required under this section including:

(i) The number of families served by the program;

(ii) Outcome information for the families served by the program; and

(iii) Recommendations regarding maintaining or expanding the program.

(11) \$1,108,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$611,000 of the judicial stabilization trust account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5780 (public defense & prosecution). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 115. 2023 c 475 s 116 (uncodified) is amended to read as follows:

FOR THE OFFICE OF CIVIL LEGAL AID

General Fund—State Appropriation (FY 2024)	((\$53,283,000))
	\$54,376,000
General Fund—State Appropriation (FY 2025)	((\$59,838,000))
	\$62,001,000
((General Fund—Federal Appropriation	..... \$1,468,000))
Judicial Stabilization Trust Account—State Appropriation	..... ((\$3,851,000))
	\$6,698,000
TOTAL APPROPRIATION	..... ((\$118,440,000))
	\$123,075,000

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

(1) \$3,917,000 of the general fund—state appropriation for fiscal year 2024 and \$7,711,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the appointed counsel program for children and youth in dependency cases under RCW 13.34.212(3) in accordance with revised practice, caseload, and training standards adopted by the supreme court commission on children in foster care and includes a vendor rate increase for contracted attorneys. By October 1, 2023, the office must develop a revised implementation schedule based on a caseload assumption of adding no more than 1,250 new dependency cases to the program each fiscal year for consideration by the governor and the legislature.

(2) \$2,408,000 of the general fund—state appropriation for fiscal year 2024 and \$2,579,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of civil legal information, advice, and representation for tenants at risk of eviction but not yet eligible for appointed counsel services under RCW 59.18.640.

(3) ~~((~~\$15,425,000~~))~~ \$16,542,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$16,030,000~~))~~ \$17,965,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the appointed counsel program for tenants in unlawful detainer cases established in RCW 59.18.640 and includes a vendor rate increase for contracted

attorneys. The office of civil legal aid shall assign priority to providing legal representation to indigent tenants in those counties in which the most evictions occur and to indigent tenants who are disproportionately at risk of eviction, as provided in RCW 59.18.640.

(4) ~~(\$2,387,000)~~ \$5,234,000 of the judicial stabilization trust account—state appropriation is provided solely to continue legal information, advice, assistance, and representation for individuals eligible for civil relief under the supreme court’s ruling in *State v. Blake*.

(5) An amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2024 and an amount not to exceed \$40,000 of the general fund—state appropriation for fiscal year 2025 may be used to provide telephonic legal advice and assistance to otherwise eligible persons who are 60 years of age or older on matters authorized by RCW 2.53.030(2) (a) through (k) regardless of household income or asset level.

(6) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the office of civil legal aid to establish a legal advice phone line to provide guidance and legal advice for kinship caregivers. The phone line must be staffed by two FTE contracted attorneys that have experience with kinship care, guardianship statutes, the child welfare system, and issues relating to legal custody.

(7) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of civil legal aid to expand civil legal aid services for survivors of domestic violence, including legal services for protection order proceedings, family law cases, immigration assistance, and other civil legal issues arising from or related to the domestic violence they experienced.

(8) \$1,009,000 of the general fund—state appropriation for fiscal year 2024 and \$1,022,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of civil legal aid to continue the statewide reentry legal aid project as established in section 115(12), chapter 357, Laws of 2020.

(9) \$156,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 116. 2023 c 475 s 117 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE GOVERNOR

General Fund—State Appropriation (FY 2024)	((\$24,543,000))
	<u>\$24,808,000</u>
General Fund—State Appropriation (FY 2025)	((\$24,253,000))
	<u>\$30,250,000</u>
Economic Development Strategic Reserve Account—State Appropriation	((\$2,282,000))
	<u>\$10,850,000</u>
GOV Central Service Account—State Appropriation	((\$18,967,000))
	<u>\$19,538,000</u>
Performance Audits of Government Account—State Appropriation	((\$720,000))
	<u>\$827,000</u>
<u>Workforce Education Investment Account—State Appropriation</u>	<u>\$100,000</u>
TOTAL APPROPRIATION	((\$70,765,000))
	<u>\$86,373,000</u>

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

(1) \$1,146,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,146,000)~~ \$1,841,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the education ombuds.

(2) ~~(\$18,667,000)~~ \$19,238,000 of the GOV central service account—state appropriation is provided solely for the office of equity. Within the amounts provided in this subsection, \$571,000 of the GOV central service account—state appropriation is provided solely for the office of equity for additional staffing resources to provide effective communication and meaningful access to state information and services.

(3) \$100,000 of the workforce education investment account—state appropriation is provided solely to the office of the governor to implement career connected learning.

(4)(a) ~~(\$480,000)~~ \$554,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the governor to invite federally recognized tribes, local governments, agricultural producers, commercial and recreational fisher organizations, business organizations, salmon recovery organizations, forestry and agricultural organizations, and environmental organizations to participate in a process facilitated by an independent entity to develop recommendations on proposed changes in policy and spending priorities to improve riparian habitat to ensure salmon and steelhead recovery.

~~((a))~~ (i) The independent entity must develop recommendations on furthering riparian funding and policy, including but not limited to, strategies that can attract private investment in improving riparian habitat, and developing a regulatory or compensation strategy if voluntary programs do not achieve concrete targets.

~~((b))~~ (ii) Preliminary recommendations shall be submitted to the legislature and governor by May 1, 2024, with a final report by June 30, 2024.

(b) The amounts provided in fiscal year 2025 are provided solely for the task force to develop proposals to implement the recommendations submitted in (a) of this subsection. The independent entity must convene a group of interested members of the legislature to provide the task force with background information regarding the recommendations submitted to the legislature, and to support the development of the implementation proposals. A report outlining the implementation proposals is due to the governor and the appropriate committees of the legislature by November 15, 2024.

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

~~((4))~~ (5) \$3,020,000 of the general fund—state appropriation for fiscal year 2024 and \$2,980,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ Within the amounts provided in this subsection:

(a) \$2,359,000 of the general fund—state appropriation for fiscal year 2024 and \$2,359,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for flexible funding to support children in crisis. Uses of the flexible funding include, but are not limited to:

- (i) Residential, housing, or wraparound supports that facilitate the safe discharge of children in crisis from hospitals;
- (ii) Support for families and caregivers to mitigate the risk of a child going into or returning to a state of crisis;
- (iii) Respite and relief services for families and caregivers that

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would assist in the safe discharge of a child in crisis from a hospital, or prevent or mitigate a child's future hospitalization due to crisis; or

(iv) Any support or service that would expedite a safe discharge of a child in crisis from an acute care hospital or that would prevent or mitigate a child's future hospitalization due to crisis.

(b) Flexible funding expenditures may not be used for administrative expenses.

(c) The care coordinator created in Second Substitute House Bill No. 1580 (children in crisis) must approve any expenditures of flexible funding.

~~((5))~~ (6) \$300,000 of the GOV central service account—state appropriation is provided solely for the office of equity to conduct community engagement and develop an equity toolkit. Within the amounts provided in this subsection:

(a) The office of equity must consult with state boards and commissions that support the participation of people from underrepresented populations in policy-making processes, and may consult with other relevant state agencies, departments, and offices, to identify:

(i) Barriers to access and meaningful participation in stakeholder engagement by people from underrepresented populations who have lived experience;

(ii) Tools to support access and meaningful participation in stakeholder engagement;

(iii) Modifications to stakeholder engagement processes that promote an increase in access and opportunities for participation by people from underrepresented populations who have lived experience in policy-making processes. Any modifications identified may not restrict or otherwise prevent compliance with requirements under federal statute or regulations; and

(iv) Changes to law or agency rules that will promote increased access and participation in the policy-making process.

(b) The office of equity must submit a report, in compliance with RCW 43.01.036, to the appropriate committees of the legislature that details its findings under (a) of this subsection by July 1, 2024.

(c) By November 30, 2024, the office of equity must develop a toolkit on best practices for supporting meaningful engagement of underrepresented individuals with lived experience participating on statutory entities. The toolkit must be transmitted to all state agencies, including the office of the governor, members of the legislature, the secretary of the senate, and the chief clerk of the house of representatives. The toolkit must include:

(i) Best practices for identifying and recruiting underrepresented individuals with lived experience;

(ii) Best practices for appropriately and meaningfully engaging individuals from underrepresented populations with lived experience. Recommendations of these best practices may include suggestions from engagement conducted under (a) of this subsection;

(iii) Information on how to plan the work of a statutory entity using the principles of universal design, which may include suggestions from community engagement conducted under (a) of this subsection;

(iv) Best practices for onboarding all statutory entity members including how to support underrepresented individuals with lived experience in accessing compensation in accordance with chapter 43.03 RCW; and

(v) A list of state entities that appointing authorities may consult with when considering appointments to statutory entities for the purpose of increasing meaningful participation by people from underrepresented populations who have lived experience.

(d) For purposes of this subsection:

(i) "Lived experience" has the same meaning as provided in RCW 43.03.220.

(ii) "Statutory entity" means a multimember task force, work group, or advisory committee, that is temporary, established by legislation adopted after January 1, 2025, established for the specific purpose of examining a particular policy or issue which directly and tangibly affects one or more underrepresented populations, and is required to report to the legislature on the policy or issues it is tasked with examining. "Statutory entity" does not include legislative select committees or other statutorily created legislative entities composed of only legislative members.

(iii) "Underrepresented population" means a population group that is more likely to be at higher risk for disenfranchisement due to adverse socioeconomic factors such as unemployment, high housing and transportation costs relative to income, effects of environmental harms, limited access to nutritious food and adequate health care, linguistic isolation, and any other factors that may be barriers for participating in policy-making processes.

~~((6))~~ (7) Within the amounts appropriated in this section, the Washington state office of equity must cofacilitate the Washington digital equity forum with the statewide broadband office.

~~((7))~~ (8)(a) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the corrections ombuds to prepare a report on incarcerated persons who have been in solitary confinement or any other form of restrictive housing more than 120 days in total during their period of incarceration or have been in solitary confinement or any other form of restrictive housing more than 45 consecutive days in the prior fiscal year. The report must:

(i) Include the basis on which each person was placed in restrictive housing;

(ii) Define the types of restrictive housing used by the department of corrections including, but not limited to, solitary confinement, administrative segregation, disciplinary segregation, protective custody, and maximum custody;

(iii) Identify the specific type of restrictive housing each incarcerated person was placed in and the reason for such placement;

(iv) Provide information regarding each incarcerated person's underlying offenses;

(v) Identify any sanctions imposed during the incarceration of each person;

(vi) State the amount of time each person has remaining in total confinement;

(vii) Document any attempted suicides by each individual in restrictive housing over the past 10 years and the reason, if known;

(viii) Describe the programming offered to and accepted by each incarcerated person during the person's period of restrictive confinement; and

(ix) Identify any short-term policies identified, implemented, or improved by the department for the restrictive housing population including, but not limited to, lighting, ventilation, and access to personal property, communication, and visitation.

(b) The department shall provide a report to the governor and appropriate committees of the legislature by June 30, 2024.

(9) Within existing resources, the governor's office of results Washington must conduct a review of the provisions in state law relating to statewide performance management in RCW 43.88.090 and 43.17.380 through 43.17.390 and other statutes as applicable. The office must produce a report to the governor and appropriate committees of the legislature by October 31, 2024, including recommendations for legislative actions to provide meaningful performance information and oversight for decision

makers in the governor's office and other agencies responsible for enterprise-wide initiatives. Results Washington should consult with the office of financial management and other agencies as applicable to ensure that recommendations minimize duplication of effort and support their statutory oversight roles.

(10) \$559,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Fourth Substitute House Bill No. 1239 (educator ethics & complaints). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2000 (international leadership). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$225,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2071 (residential housing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$618,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2084 (construction training/DOC). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 117. 2023 c 475 s 118 (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund—State Appropriation (FY 2024).	(\$1,619,000)
	<u>\$1,616,000</u>
General Fund—State Appropriation (FY 2025).	(\$1,640,000)
	<u>\$1,658,000</u>
General Fund—Private/Local Appropriation.....	\$90,000
TOTAL APPROPRIATION.....	(\$3,349,000)
	<u>\$3,364,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the legislative committee on economic development and international relations to conduct an analysis of the statewide economic impact of the military and defense sector. The analysis shall be completed and submitted to the governor and appropriate committees of the legislature by September 1, 2024.

Sec. 118. 2023 c 475 s 119 (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund—State Appropriation (FY 2024).	(\$6,105,000)
	<u>\$6,108,000</u>
General Fund—State Appropriation (FY 2025).	(\$5,913,000)
	<u>\$6,186,000</u>
Public Disclosure Transparency Account—State Appropriation.....	(\$2,271,000)
	<u>\$2,300,000</u>
TOTAL APPROPRIATION.....	(\$14,289,000)
	<u>\$14,594,000</u>

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

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

(2) ~~(\$2,171,000)~~ \$2,170,000 of the public disclosure transparency account—state appropriation is provided solely for the public disclosure commission for the purpose of improving the ability of the public to access information about political

campaigns, lobbying, and elected officials, and facilitating accurate and timely reporting by the regulated community. The commission must report to the office of financial management and fiscal committees of the legislature by October 31st of each year detailing information on the public disclosure transparency account. The report shall include, but is not limited to:

(a) An investment plan of how funds would be used to improve the ability of the public to access information about political campaigns, lobbying, and elected officials, and facilitate accurate and timely reporting by the regulated community;

(b) A list of active projects as of July 1st of the fiscal year. This must include a breakdown of expenditures by project and expense type for all current and ongoing projects;

(c) A list of projects that are planned in the current and following fiscal year and projects the commission would recommend for future funding. The commission must identify priorities, and develop accountability measures to ensure the projects meet intended purposes; and

(d) Any other metric or measure the commission deems appropriate to track the outcome of the use of the funds.

(3) \$100,000 of the public disclosure transparency account—state appropriation is provided solely for implementation of Second Engrossed Substitute Senate Bill No. 5284 (campaign finance disclosure). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 119. 2023 c 475 s 120 (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund—State Appropriation (FY 2024)	
.....	(\$40,397,000)
	<u>\$56,190,000</u>
General Fund—State Appropriation (FY 2025)	
.....	(\$48,378,000)
	<u>\$62,517,000</u>
General Fund—Federal Appropriation.....	\$8,606,000
Public Records Efficiency, Preservation, and Access Account—State Appropriation.....	(\$11,621,000)
	<u>\$11,702,000</u>
Charitable Organization Education Account—State Appropriation.....	(\$1,161,000)
	<u>\$1,233,000</u>
Washington State Library Operations Account—State Appropriation.....	(\$14,652,000)
	<u>\$14,765,000</u>
Local Government Archives Account—State Appropriation.....	(\$11,997,000)
	<u>\$12,089,000</u>
Election Account—Federal Appropriation.....	\$4,487,000
Personnel Service Account—State Appropriation..	\$2,262,000
TOTAL APPROPRIATION.....	(\$143,561,000)
	<u>\$173,851,000</u>

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

(1) ~~(\$2,498,000)~~ \$16,998,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$12,196,000)~~ \$21,450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to reimburse counties for the state's share of primary and general election costs, the state's share of presidential primary costs, and the costs of conducting mandatory recounts on state measures. Funds may also be used by the secretary of state for costs associated with the printing and distribution of the presidential primary voters pamphlet. Counties shall be reimbursed only for those costs that the secretary of state validates as eligible for reimbursement.

(2)(a) \$4,052,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$4,052,000)~~ \$6,052,000 of the general

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fund—state appropriation for fiscal year 2025 are provided solely for contracting with a nonprofit organization to produce gavel-to-gavel television coverage of state government deliberations and other events statewide. The funding level for each year of the contract shall be based on the amount provided in this subsection. The nonprofit organization shall be required to raise contributions or commitments to make contributions, in cash or in kind, in an amount equal to forty percent of the state contribution. The office of the secretary of state may make full or partial payment once all criteria in this subsection have been satisfactorily documented.

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

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

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

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

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

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

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

(4) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for humanities Washington speaker's bureau community conversations.

(5) \$114,000 of the general fund—state appropriation for fiscal year 2024 and \$114,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for election reconciliation reporting. Funding provides for one staff to compile county reconciliation reports, analyze the data, and to complete an annual statewide election reconciliation report for every state primary and general election. The report must be submitted annually on July 31, to legislative policy and fiscal committees. The annual report must include statewide analysis and by county analysis on the reasons for ballot rejection and an analysis of the ways ballots are received, counted, rejected and cure data that can be used by policymakers to better understand election administration.

(6) \$896,000 of the general fund—state appropriation for fiscal year 2024 and \$870,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff dedicated to the maintenance and operations of the voter registration and election management system. These staff will manage database upgrades, database maintenance, system training and support to counties, and triage and customer service to system users.

(7) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for:

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

(b) Additional staff dedicated to the cyber and physical security

of election operations at the office and county election offices;

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

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

(8) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute Senate Bill No. 5128 (jury diversity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5112 (voter registration). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5182 (candidate filing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$148,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5208 (online voter registration). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$616,000 of the personnel service account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5015 (productivity board). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(13) ~~(\$350,000)~~ \$400,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$350,000)~~ \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with humanities Washington to expand the prime time family reading program.

(14) The office of the secretary of state must conduct a feasibility study of replacing the combined fund drive donor management system. The office must report its findings and a plan for replacement to the appropriate committees of the legislature by December 31, 2023.

(15) ~~(\$200,000)~~ \$850,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal services costs for *Vet Voice Foundation et al. v. Hobbs*.

(16) \$3,724,000 of the general fund—state appropriation for fiscal year 2024 and \$2,674,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the agency to design and implement strategies and products to counter false narratives surrounding election security and integrity, including community engagement with underserved populations such as young voters, voters with disabilities, tribal communities, and non-English-speaking voters. Of the amounts provided in this subsection, \$500,000 per fiscal year are provided solely for grants to county auditors for the same purposes.

(17) The office of the secretary of state must work with the office of the chief information officer to evaluate the office of the secretary of state's information technology infrastructure and applications to determine the appropriate candidates for the location of data and the systems that could be exempt from consolidated technology services oversight. The office shall report its findings to the appropriate committees of the legislature by December 31, 2023.

(18) \$83,000 of the general fund—state appropriation for fiscal

year 2024 and \$67,000 of the general fund—state appropriation for fiscal year 2025 are provided solely the office of the secretary of state to assist businesses and nonprofits providing therapeutic rehabilitation within Washington state's juvenile secure residential facilities. It is well established that providing outreach and therapeutic education among incarcerated youth remains critical to successful community reentry. The amounts provided under this subsection are subject to the following conditions and limitations: To be eligible for a grant under this subsection, a business must (a) apply for or have applied for the grant; (b) be registered as a Washington state business or non-profit; (c) reported annual gross receipts are no more than \$1,000,000 in the most recent calendar year; (d) must have ability to conduct in-person business operations at one of Washington's juvenile correctional facilities; (e) of the total grant amount awarded, no more than 10 percent may be awarded for travel expenses; (f) agree to operate in-person, in accordance with the requirements of applicable federal, state, and local directives and guidance; and (g) at least one principal of entity must demonstrate the following educational credential, minimum masters degree in related field, and professional experience of conducting therapeutic gaming. The office of the secretary of state may use up to 10 percent of the amount provided in this subsection for administrative costs.

(19) \$730,000 of the general fund—state appropriation for fiscal year 2024 and \$580,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office's migration of its applications and systems to Azure cloud environments, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(20) \$160,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with the University of Washington Evans school of public policy and governance to complete a study based on the preliminary report and research design submitted to the office on June 30, 2022. The preliminary report analyzed the 2022 state auditor's performance audit titled "evaluating Washington's ballot rejection rates." The study must be reported to the governor and the appropriate committees of the legislature by November 1, 2023.

(21) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to continue developing a statewide digital assessment tool and protocol for the tool's usage. The office must use the tool and protocol it developed to reach additional underserved audiences and make improvements to the tool and protocol. The office must develop and publish recommendations to improve implementation of the tool by June 30, 2025.

(22) \$198,000 of the general fund—state appropriation for fiscal year 2024 and \$154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to establish a Washington state library branch at Green Hill school.

(23) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with the University of Washington Evans school of public policy and governance to examine processes for providing voting registration, voting materials, and voting assistance for people held in Washington jails.

- (a) The study must:
 - (i) Identify challenges and obstacles to voting in Washington jails;
 - (ii) Examine how election offices and jails can ensure that voter registration, materials, and assistance are provided to registered voters and eligible citizens who are in jail prior to each election;
 - (iii) Develop recommendations for facilitating voter registration for eligible citizens and voting for registered voters in

Washington jails; and

(iv) Develop recommendations for identifying individuals who are registered to vote upon jail admission and for providing voter assistance upon release from jail.

(b) The study is due to the office, the governor, and the appropriate committees of the legislature by December 1, 2024.

(24) \$148,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of House Bill No. 1962 (voter address changes). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(25) \$137,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for costs associated with verifying signatures on initiatives to the legislature.

(26) \$81,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5843 (election security breaches). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(27) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5890 (ballot rejections). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(28) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 120. 2023 c 475 s 121 (uncodified) is amended to read as follows:

FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

General Fund—State Appropriation (FY 2024) ...	((\$801,000))
	<u>\$802,000</u>
General Fund—State Appropriation (FY 2025) ...	((\$797,000))
	<u>\$987,000</u>
Climate Commitment Account—State Appropriation	\$658,000
TOTAL APPROPRIATION	((\$2,256,000))
	<u>\$2,447,000</u>

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

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

(2)(a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for native American students;
- (ii) Analyze the progress in developing effective government-to-government relations and identification and adoption of curriculum regarding tribal history, culture, and government as provided under RCW 28A.345.070;
- (iii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iv) Identify performance measures to monitor adequate yearly progress.

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(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(3)(a) \$404,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). Within amounts provided in this subsection, the governor's office of Indian affairs, in consultation with the department of ecology, the department of commerce, and the department of archaeology and historic preservation, must coordinate government-to-government engagement with federally recognized Indian tribes who have treaty rights in Washington. Topics of engagement may include:

- (i) Implementation of environmental and energy laws, policy regulations, programs, and finances;
 - (ii) The climate commitment act, chapter 316, Laws of 2021;
 - (iii) Engrossed Second Substitute House Bill No. 1216 (clean energy siting); and
 - (iv) Other related policy.
- (b) Funding provided within this subsection may support:
- (i) Participation on the interagency clean energy siting coordinating council;
 - (ii) Creation and maintenance of a list of contacts of federally recognized tribes, and tribal preferences regarding outreach about clean energy siting and permitting; and
 - (iii) Development and delivery of training to clean energy project developers on consultation and engagement processes for federally recognized Indian tribes.

(4) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

Sec. 121. 2023 c 475 s 122 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS

General Fund—State Appropriation (FY 2024).....	((\$913,000))
	\$943,000
General Fund—State Appropriation (FY 2025).....	((\$897,000))
	\$920,000
TOTAL APPROPRIATION.....	((\$1,810,000))
	\$1,863,000

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

(1)(a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for Asian American students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(2)(a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

- (i) Conduct a detailed analysis of the opportunity gap for Native Hawaiian and Pacific Islander students;
- (ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and
- (iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

Sec. 122. 2023 c 475 s 123 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER

State Treasurer's Service Account—State	
Appropriation	((\$23,658,000))
	\$24,541,000
TOTAL APPROPRIATION	((\$23,658,000))
	\$24,541,000

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

~~(1) ((~~\$500,000 of the state treasurer's service account—state appropriation is provided solely for the review of local government tax increment financing proposals as provided in RCW 39.114.020.~~~~

~~(2))~~ \$500,000 of the state treasurer's service account—state appropriation is provided solely for the office to study existing and proposed laws in other jurisdictions that limit consideration of material factors in public financing and investments. The study must consider any investment risk and economic risk to Washington associated with identified laws. Authorized uses of the amount provided in this subsection include, but are not limited to, staffing, consulting fees, travel expenditures, or other goods and services. The office must submit the study to the appropriate committees of the legislature by December 1, 2024.

~~((3))~~ (2) Pursuant to RCW 82.08.225, the legislature authorizes the state treasurer to deposit up to \$3,000,000 of taxes collected pursuant to RCW 82.08.020(1) into the statewide tourism marketing account created in RCW 43.384.040 for the 2023-2025 fiscal biennium.

~~(3) \$280,000 of the state treasurer's service account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6069 (retirement savings). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

Sec. 123. 2023 c 475 s 124 (uncodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund—State Appropriation (FY 2024)	\$1,072,000
General Fund—State Appropriation (FY 2025)	((\$1,080,000))
	\$1,579,000
Auditing Services Revolving Account—State	
Appropriation	((\$18,519,000))
	\$18,614,000
Performance Audits of Government Account—State	
Appropriation	((\$1,871,000))
	\$2,684,000
TOTAL APPROPRIATION	((\$22,542,000))

\$23,949,000

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

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

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

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

~~((4))~~ ~~(3)~~ \$1,030,000 of the general fund—state appropriation for fiscal year 2024 and \$1,030,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for law enforcement audits pursuant to RCW 43.101.460 and 43.101.465.

(4) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the state auditor's office to conduct a performance audit of the Washington state housing finance commission's oversight of housing developers that offer a rent-to-own option for projects funded by the commission. The audit must review how rent-to-own policies have affected affordable housing and home ownership options for eligible tenants; make recommendations for the commission to improve outcomes for rent-to-own tenants; and evaluate whether the commission has followed applicable state and federal laws related to financing and overseeing housing developers that offer rent-to-own options for tenants.

(5) \$800,000 of the performance audits of government account—state appropriation is for implementation of Substitute House Bill No. 2180 (special education cap). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 124. 2023 c 475 s 125 (uncodified) is amended to read as follows:

FOR THE CITIZENS' COMMISSION ON SALARIES FOR ELECTED OFFICIALS

General Fund—State Appropriation (FY 2024).....	(\$299,000)
	<u>\$305,000</u>
General Fund—State Appropriation (FY 2025).....	(\$295,000)
	<u>\$331,000</u>
TOTAL APPROPRIATION.....	(\$594,000)
	<u>\$636,000</u>

Sec. 125. 2023 c 475 s 126 (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund—State Appropriation (FY 2024)	(\$39,778,000)
	<u>\$48,659,000</u>
General Fund—State Appropriation (FY 2025)	(\$36,313,000)
	<u>\$42,377,000</u>
General Fund—Federal Appropriation	(\$23,595,000)
	<u>\$25,263,000</u>
Public Service Revolving Account—State Appropriation	(\$4,717,000)
	<u>\$4,742,000</u>

New Motor Vehicle Arbitration Account—State	
Appropriation	(\$1,889,000)
	<u>\$1,897,000</u>
Medicaid Fraud Penalty Account—State Appropriation	
.....	\$6,584,000
Child Rescue Fund—State Appropriation	(\$80,000)
	<u>\$200,000</u>
Legal Services Revolving Account—State Appropriation	
.....	(\$401,733,000)
	<u>\$409,394,000</u>
Local Government Archives Account—State	
Appropriation	(\$1,117,000)
	<u>\$1,123,000</u>
Tobacco Prevention and Control Account—State	
Appropriation	(\$274,000)
	<u>\$276,000</u>
TOTAL APPROPRIATION	(\$516,080,000)
	<u>\$540,515,000</u>

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

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

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

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

~~(4) (((\$1,217,000))~~ \$1,806,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,217,000))~~ \$1,981,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for multi-year arbitrations of the state's diligent enforcement of its obligations to receive amounts withheld from tobacco master settlement agreement payments.

(5) \$6,189,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 326, Laws of 2021 (law enforcement data).

~~(6) (((\$1,958,000))~~ \$1,458,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$958,000))~~ \$1,458,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of a program for receiving and responding to tips from the public regarding risks or potential risks to the safety or well-being of youth, called the YES tip line program. Risks to safety or well-being may include, but are not limited to, harm or threats of harm to self or others, sexual abuse, assault, rape, bullying or cyberbullying, substance use, and criminal acts. Any person contacting the YES tip line, whether for

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themselves or for another person, must receive timely assistance and not be turned away. The program must operate within the guidelines of this subsection.

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

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

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

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

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

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

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

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

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

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

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

(e) The YES tip line program must promote and market the program and YES tip line to youth, families, community members, schools, and others statewide to build awareness of the program's resources and the YES tip line. Youth perspectives must be included and consulted in tip line development and implementation including creating marketing campaigns and materials required for the YES tip line program. The insights of youth representing marginalized and minority communities must be prioritized for their invaluable insight. Youths are eligible for stipends and reasonable allowances for reimbursement, lodging, and travel expenses as provided in RCW 43.03.220.

(7) \$561,000 of the general fund—state appropriation for fiscal year 2024 and \$508,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the attorney general to support the Washington state missing and murdered indigenous women and people task force in section 912

of this act.

(8) \$9,188,000 of the legal services revolving fund—state appropriation is provided solely for additional legal services to address additional legal services necessary for dependency actions where the state and federal Indian child welfare act apply. The office must report to the fiscal committees of the legislature within 90 days of the close of the fiscal year the following information for new cases initiated in the previous fiscal year to measure quantity and use of this funding:

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

(b) The amount of time spent advising on, preparing for court, and litigating issues and elements related to ICWA's requirements as compared to the amount of time advising on, preparing for court, and litigating issues and elements that are not related to ICWA's requirements;

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

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

(9)(a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a truth and reconciliation tribal advisory committee to conduct research and outreach to understand the operations and impact of Indian boarding schools in Washington run by public and faith-based institutions, and to develop recommendations for the state to acknowledge and address the historical and intergenerational harms caused by Indian boarding schools and other cultural and linguistic termination practices.

(b) The advisory committee shall consist of five members nominated by the attorney general. The committee members must be citizens from federally recognized tribes in diverse geographic areas across the state that possess personal, policy, or specific expertise with Indian boarding school history and policies, or who have expertise in truth and healing endeavors that are traditionally and culturally appropriate.

(c) The advisory committee must hold its first meeting by September 30, 2023, and shall meet at least quarterly. The advisory committee may conduct meetings in person or virtually and must accept written testimony. The advisory committee may, when feasible, invite and consult with any entity, agency, or individual deemed necessary to further its work, or with experts or professionals involved, having expertise, or having lived experience regarding Indian boarding schools or tribal engagement.

(d) The office and the advisory committee must conduct at least six listening sessions in collaboration with tribes and Native-led organizations. The listening sessions must be held with consideration of the cultural, emotional, spiritual, and psychological well-being of survivors, family members, and community members. In planning and facilitating the listening sessions, the office must seek to avoid imposing undue burdens on survivors, family members, or community members.

(e) The office of the attorney general must administer and provide staff support for the advisory committee.

(f) By June 30, 2025, the office must submit a final report to the appropriate committees of the legislature that includes, but is not limited to:

(i) A summary of activities undertaken by the advisory committee;

(ii) Findings regarding the extent and types of support provided

by the state to Indian boarding schools;

(iii) Findings regarding current state policies and practices that originate from Indian boarding schools or other assimilationist policies and practices and that cause disproportionate harm to American Indian and Alaska Native people and communities; and

(iv) Recommendations regarding how the state can address the harm done by Indian boarding schools and other cultural and linguistic termination practices through a truth and reconciliation model, including but not limited to:

(A) Resources and assistance that the state may provide to aid in the healing of trauma caused by Indian boarding school policies; and

(B) Actions to correct current state policies and practices with origins in assimilationist policies or that cause disproportionate harm to Native people and communities.

(10) \$1,381,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal services and other costs related to voter rights and redistricting commission litigation.

(11) \$566,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to litigation challenging chapter 104, Laws of 2022 (ESSB 5078).

(12) \$749,000 of the general fund—state appropriation for fiscal year 2024 and \$689,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to the defense of the state and its agencies in a federal environmental cleanup action involving the Quendall terminals superfund site.

(13) \$731,000 of the general fund—state appropriation for fiscal year 2024 and \$1,462,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional resources for the prosecution of sexually violent predator cases pursuant to chapter 71.09 RCW.

(14) \$699,000 of the general fund—state appropriation for fiscal year 2024 and \$699,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional resources for the criminal litigation unit to address increased wrongfully convicted person claims under chapter 4.100 RCW and increased workload and complexity of cases referred to the unit.

(15) \$755,000 of the general fund—state appropriation for fiscal year 2024 and \$1,510,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to create a centralized statewide organized retail crime task force to coordinate, investigate, and prosecute multijurisdictional retail crime.

(16) \$1,399,000 of the general fund—state appropriation for fiscal year 2024 and \$1,399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5078 (firearms industry duties). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(17) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the attorney general to update the introduction to Washington water law legal primer. The updated primer must cover subjects including, but not limited to, municipal water law, the trusts water rights program, instream flows, and significant appellate water law cases that have been decided since the previous introduction to Washington water law was prepared in 2000. The office must complete the updated primer by June 30, 2025.

(18) \$39,000 of the general fund—state appropriation for fiscal year 2024, \$39,000 of the general fund—state appropriation for fiscal year 2025, and \$30,000 of the legal services revolving

fund—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) \$2,071,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$204,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) \$2,316,000 of the legal services revolving fund—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5272 (speed safety cameras). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$138,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for staff support to the joint legislative task force on jail standards authorized by RCW 70.48.801. The task force shall report finding and recommendations to the governor and the appropriate committees of the legislature no later than December 1, 2023.

(23) \$463,000 of the general fund—state appropriation for fiscal year 2024, \$454,000 of the general fund—state appropriation for fiscal year 2025, \$398,000 of the general fund—federal appropriation, \$91,000 of the public service revolving account—state appropriation, \$133,000 of the medicaid fraud penalty account—state appropriation, and \$6,740,000 of the legal services revolving fund—state appropriation are provided solely for implementation of the legal matter management system and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(24) \$50,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(25) \$138,000 of the general fund—state appropriation for fiscal year 2024 and \$138,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1469 (health care services/access). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(27) \$158,000 of the general fund—state appropriation for fiscal year 2024 and \$153,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1512 (missing persons). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(28) \$1,005,000 of the general fund—state appropriation for fiscal year 2024 and \$1,005,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1177 (indigenous women). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$26,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second

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Substitute House Bill No. 1470 (private detention facilities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(30) \$75,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1570 (TNC insurance programs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$106,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) \$338,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(33)(a) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the attorney general, in collaboration with the office of the insurance commissioner, to study approaches to improve health care affordability including, but not limited to:

(i) Health provider price or rate regulation policies or programs, other than traditional health plan rate review, in use or under consideration in other states to increase affordability for health insurance purchasers and enrollees. At a minimum, this shall include:

(A) Analysis of payment rate or payment rate increase caps and reference pricing strategies;

(B) Analysis of research or other findings related to the outcomes of the policy or program, including experience in other states;

(C) A preliminary analysis of the regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state;

(D) Analysis of such approaches used in Washington state including, but not limited to, the operation of the hospital commission, formerly established under chapter 70.39 RCW; and

(E) A feasibility analysis of implementing a global hospital budget strategy in one or more counties or regions in Washington state, including potential impacts on spending and access to health care services if such a strategy were adopted;

(ii) Regulatory approaches in use or under consideration by other states to address any anticompetitive impacts of horizontal consolidation and vertical integration in the health care marketplace to supplement federal antitrust law. At a minimum, this regulatory review shall include:

(A) Analysis of research, case law, or other findings related to the outcomes of the state's activities to encourage competition, including implementation experience;

(B) A preliminary analysis of regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state; and

(C) Analysis of recent health care consolidation and vertical consolidation activity in Washington state, to the extent information is available;

(iii) Recommended actions based on other state approaches and Washington data, if any; and

(iv) Additional related areas of data or study needed, if any.

(b) The office of the insurance commissioner or office of the attorney general may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(c) The attorney general and office of the insurance

commissioner shall submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 1, 2023, and a final report by August 1, 2024.

(34) \$9,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor compensation). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(35) \$526,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(36) \$801,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to create a permanent sexual assault kit initiative program.

(37)(a) \$247,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the attorney general, jointly with the department of health, to form a task force to provide recommendations to establish a comprehensive public health and community-based framework to combat extremism and mass violence.

(b) The office of the attorney general must, in consultation with the department of health, appoint a minimum of 10 members to the task force representing different stakeholder groups including, but not limited to:

(i) Community organizations working to address the impacts of or to assist those who are affected by extremism and mass violence;

(ii) Law enforcement organizations that gather data about or work to combat extremism and mass violence; and

(iii) Public health and nonprofit organizations that work to address the impacts of extremism and mass violence.

(c) The office of the attorney general and the department of health may each have no more than one voting member on the task force.

(d) The office of the attorney general must provide staff support for the task force.

(e) Any reimbursement for nonlegislative members of the task force is subject to chapter 43.03 RCW.

(f) The first meeting of the task force must be held by December 31, 2024. The task force must submit a preliminary report to the governor and the appropriate committees of the legislature by June 1, 2025, and a final report by December 1, 2026. The final report must include legislative and policy recommendations for establishing the comprehensive framework. It is the intent of the legislature to provide funding for the task force to complete the final report in the 2025-2027 fiscal biennium.

(g) No aspect of this subsection should be construed as a directive to alter any aspect of criminal law, create new criminal penalties, or increase criminal law enforcement.

(38) \$61,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 1905 (equal pay/protected classes). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(39) \$30,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 2061 (health employees/overtime). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(40) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1618 (childhood

sexual abuse/SOL). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(41) \$73,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6058 (carbon market linkage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(42) \$1,100,000 of the legal services revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1205 (service by pub./dependency). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(43) \$106,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 2301 (waste material management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(44) \$33,000 of the legal services revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 2467 (LTSS portability). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(45) \$216,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for personnel and associated costs to implement and maintain functional operations such as support, records management and disclosure, victim liaisons, and information technology for the clemency and pardons board.

(46) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office, in collaboration with the Washington association of sheriffs and police chiefs, to support the Washington state indigenous demographic data collection work group of the Washington state missing and murdered indigenous women and people task force established in section 912, chapter 475, Laws of 2023.

(47) \$743,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5427 (hate crimes & bias incidents). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(48) \$131,000 of the general fund—state appropriation for fiscal year 2024 and \$528,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5838 (AI task force). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(49) \$45,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to support the underground economy task force created in section 906 of this act.

(50) \$3,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5271 (DOH/facilities enforcement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(51) \$30,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5793 (paid sick leave). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(52) \$40,000 of the legal services revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 126. 2023 c 475 s 127 (uncodified) is amended to read as follows:

FOR THE CASELOAD FORECAST COUNCIL

General Fund—State Appropriation (FY 2024) ((\$2,378,000))	\$2,379,000
General Fund—State Appropriation (FY 2025) ((\$2,378,000))	\$2,476,000
Workforce Education Investment Account—State Appropriation	\$356,000
TOTAL APPROPRIATION	(\$5,142,000) \$5,211,000

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

(1) \$356,000 of the workforce education investment account—state appropriation is provided solely to forecast the caseload for the Washington college grant program.

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

(3) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$39,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1218 (caseload forecast/tax credit). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(4) Within the amounts appropriated in this section, the council must forecast the number of people eligible for the apple health expansion for Washington residents with incomes at or below 138 percent of the federal poverty level, regardless of immigration status, beginning in July 2024.

Sec. 127. 2023 c 475 s 129 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE—COMMUNITY SERVICES AND HOUSING

General Fund—State Appropriation (FY 2024)	(\$334,486,000) \$409,465,000
General Fund—State Appropriation (FY 2025)	(\$391,233,000) \$492,261,000
General Fund—Federal Appropriation.....	\$281,789,000
General Fund—Private/Local Appropriation	\$5,252,000
Affordable Housing for All Account—State Appropriation	\$109,227,000
Apple Health and Homes Account—State Appropriation	\$28,452,000
Climate Commitment Account—State Appropriation	\$35,000,000
Community Reinvestment Account—State Appropriation	\$200,000,000
Community and Economic Development Fee Account—State Appropriation	\$3,159,000
(Coronavirus State Fiscal Recovery Fund—Federal Appropriation	\$77,878,000)
Covenant Homeownership Account—State Appropriation	\$150,000,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account—State Appropriation	\$2,631,000
Home Security Fund Account—State Appropriation	\$290,410,000
Lead Paint Account—State Appropriation	\$233,000
Prostitution Prevention and Intervention Account—State Appropriation	\$26,000
Washington Housing Trust Account—State Appropriation	\$9,863,000
TOTAL APPROPRIATION	(\$1,919,639,000)

\$2,017,768,000

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

(1) \$10,500,000 of the general fund—state appropriation for fiscal year 2024 and \$10,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to resolution Washington to build statewide capacity for alternative dispute resolution centers and dispute resolution programs that guarantee that citizens have access to low-cost resolution as an alternative to litigation.

(2) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the retired senior volunteer program.

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

(4) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington new Americans program. The department may require a cash match or in-kind contributions to be eligible for state funding.

(5) \$768,000 of the general fund—state appropriation for fiscal year 2024 and \$797,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a private, nonprofit organization to provide developmental disability ombuds services.

(6) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, \$1,000,000 of the home security fund—state appropriation, \$2,000,000 of the Washington housing trust account—state appropriation, and \$1,000,000 of the affordable housing for all account—state appropriation are provided solely for the department of commerce for services to homeless families and youth through the Washington youth and families fund.

(7) \$1,000,000 of the general fund—state appropriation for fiscal year 2024, \$1,000,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000,000 of the home security fund—state appropriation are provided solely for the administration of the grant program required in chapter 43.185C RCW, linking homeless students and their families with stable housing.

~~(8) \$1,980,000 of the general fund—state appropriation for fiscal year 2024 and \$1,980,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community beds for individuals with a history of mental illness. Currently, there is little to no housing specific to populations with these co-occurring disorders; therefore, the department must consider how best to develop new bed capacity in combination with individualized support services, such as intensive case management and care coordination, clinical supervision, mental health, substance abuse treatment, and vocational and employment services. Case management and care coordination services must be provided. Increased case managed housing will help to reduce the use of jails and emergency services and will help to reduce admissions to the state psychiatric hospitals. The department must coordinate with the health care authority and the department of social and health services in establishing conditions for the awarding of these funds. The department must contract with local entities to provide a mix of (i) shared permanent supportive housing; (ii) independent permanent supportive housing; and (iii) low and no barrier housing beds for people with a criminal history, substance abuse disorder, and/or mental illness.~~

~~(b) Priority for permanent supportive housing must be given to individuals on the discharge list at the state psychiatric hospitals or in community psychiatric inpatient beds whose conditions present significant barriers to timely discharge.)~~ \$11,844,000 of the general fund—state appropriation for fiscal year 2024 and \$11,844,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing assistance, including long-term rental subsidies, permanent supportive housing, and low and no barrier housing beds, for unhoused individuals. Priority must be given to individuals with a mental health disorder, substance use disorder, or other complex conditions; individuals with a criminal history; and individuals transitioning from behavioral health treatment facilities or local jails.

(9) \$557,000 of the general fund—state appropriation for fiscal year 2024 and \$557,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to design and administer the achieving a better life experience program.

(10) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with organizations and attorneys to provide either legal representation or referral services for legal representation, or both, to indigent persons who are in need of legal services for matters related to their immigration status. Persons eligible for assistance under any contract entered into pursuant to this subsection must be determined to be indigent under standards developed under chapter 10.101 RCW.

(11)(a) \$12,500,000 of the general fund—state appropriation for fiscal year 2024, \$12,500,000 of the general fund—state appropriation for fiscal year 2025, and \$37,000,000 of the affordable housing for all account—state appropriation are provided solely for grants to support the building operation, maintenance, and service costs of permanent supportive housing projects or units within housing projects that have or will receive funding from the housing trust fund—state account or other public capital funding that:

- (i) Is dedicated as permanent supportive housing units;
- (ii) Is occupied by low-income households with incomes at or below 30 percent of the area median income; and
- (iii) Requires a supplement to rent income to cover ongoing property operating, maintenance, and service expenses.

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

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

(d) Within amounts provided in this subsection, the department must provide staff support for the permanent supportive housing operations, maintenance, and services forecast. The department must develop a model to estimate demand for operating, maintenance, and services costs for permanent supportive housing units that qualify for grant funding under (a) of this subsection. The model shall incorporate factors including the number of qualifying units currently in operation; the number of new qualifying units assumed to come online since the previous forecast and the timing of when those units will become operational; the impacts of enacted or proposed investments in the capital budget on the number of new potentially qualifying units; the number of units supported through a grant awarded under (a) of this subsection; the historical actuals for per unit average grant awards under (a) of this subsection; reported data from housing providers on actual costs for operations, maintenance, and services; and other factors identified as appropriate for estimating

the demand for maintenance, operations, and services for qualifying permanent supportive housing units. The forecast methodology, updates, and methodology changes must be conducted in coordination with staff from the department, the office of financial management, and the appropriate fiscal committees of the state legislature. The forecast must be updated each February and November during the fiscal biennium and the department must submit a report to the legislature summarizing the updated forecast based on actual awards made under (a) of this subsection and the completed construction of new qualifying units.

(12) \$7,000,000 of the home security fund—state appropriation is provided solely for the office of homeless youth prevention and protection programs to:

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

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

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

(13) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to build infrastructure and services to support a continuum of interventions, including but not limited to prevention, crisis response, and long-term housing, to reduce youth homelessness in communities identified as part of the anchor community initiative.

(14) \$2,125,000 of the general fund—state appropriation for fiscal year 2024 and \$2,125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to contract with one or more nonprofit organizations to provide youth services and young adult housing on a multi-acre youth campus located in the city of Tacoma. Youth services include, but are not limited to, HOPE beds and crisis residential centers to provide temporary shelter and permanency planning for youth under the age of 18. Young adult housing includes, but is not limited to, rental assistance and case management for young adults ages 18 to 24. The department shall submit an annual report to the legislature on the use of the funds. The report is due annually on June 30th. The report shall include but is not limited to:

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

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

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

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

(15) \$65,310,000 of the general fund—state appropriation for fiscal year 2024 and \$65,310,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the essential needs and housing support program and related services. The department may use a portion of the funds provided in this subsection to continue the pilot program established in section 127(106) of chapter 357, Laws of 2020 (addressing the immediate housing needs of low or extremely low-income elderly or disabled adults in certain counties who receive social security disability or retirement income). The department must ensure the timely redistribution of the funding provided in this subsection

among entities or counties to reflect actual caseload changes as required under RCW 43.185C.220(5)(c).

~~(16) ((\$198,000 of the general fund—state appropriation for fiscal year 2024 and \$198,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to retain a behavioral health facilities siting administrator within the department to coordinate development of effective behavioral health housing options and provide technical assistance in siting of behavioral health treatment facilities statewide to aide in the governor's plan to discharge individuals from the state psychiatric hospitals into community settings. This position must work closely with the local government legislative authorities, planning departments, behavioral health providers, health care authority, department of social and health services, and other entities to facilitate linkages among disparate behavioral health community bed capacity building efforts. This position must work to integrate building behavioral health treatment and infrastructure capacity in addition to ongoing supportive housing benefits.))~~ \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to King county for costs to provide transitional and long-term housing supports for unsheltered, recently-arrived individuals and families.

(17) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an entity located in the Beacon hill/Chinatown international district area of Seattle to provide low income housing, low income housing support services, or both. To the extent practicable, the chosen location must be colocated with other programs supporting the needs of children, the elderly, or persons with disabilities.

(18) \$4,740,000 of the general fund—state appropriation for fiscal year 2024, \$4,740,000 of the general fund—state appropriation for fiscal year 2025, and \$4,500,000 of the home security fund—state appropriation are provided solely for the consolidated homeless grant program.

(a) Of the amounts provided in this subsection, \$4,500,000 of the home security fund—state appropriation is provided solely for permanent supportive housing targeted at those families who are chronically homeless and where at least one member of the family has a disability. The department will also connect these families to medicaid supportive services.

(b) Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for diversion services for those families and individuals who are at substantial risk of losing stable housing or who have recently become homeless and are determined to have a high probability of returning to stable housing.

(c) Of the amounts provided in this subsection, \$3,240,000 of the general fund—state appropriation for fiscal year 2024 and \$3,240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for up to nine months of rental assistance for individuals enrolled in the foundational community supports initiative who are transitioning off of benefits under RCW 74.04.805 due to increased income or other changes in eligibility. The health care authority, department of social and health services, and department of commerce shall collaborate on this effort.

~~(19) ((\$958,000))~~ \$1,258,000 of the general fund—state appropriation for fiscal year 2024 and \$1,332,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operations of the long-term care ombudsman program.

(20) \$1,007,000 of the general fund—state appropriation for fiscal year 2024 and \$1,007,000 of the general fund—state

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appropriation for fiscal year 2025 are provided solely for the department to administer a transitional housing program for nondependent homeless youth.

(21) \$80,000 of the general fund—state appropriation for fiscal year 2024 and \$80,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to establish an identification assistance and support program to assist homeless persons in collecting documentation and procuring an identicaid issued by the department of licensing. This program may be operated through a contract for services. The program shall operate in one county west of the crest of the Cascade mountain range with a population of 1,000,000 or more and one county east of the crest of the Cascade mountain range with a population of 500,000 or more.

(22)(a) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth prevention and protection programs to administer flexible funding to support the anchor community initiative and anchor communities through the homeless prevention and diversion fund and serve eligible youth and young adults. The flexible funding administered under this subsection may be used for the immediate needs of eligible youth or young adults. An eligible youth or young adult may receive support under this subsection more than once.

(b) Flexible funding provided under this subsection may be used for purposes including but not limited to:

- (i) Car repair or other transportation assistance;
- (ii) Rental application fees, a security deposit, or short-term rental assistance;
- (iii) Offsetting costs for first and last month's rent and security deposits;
- (iv) Transportation costs to go to work;
- (v) Assistance in obtaining photo identification or birth certificates; and
- (vi) Other uses that will support the eligible youth or young adult's housing stability, education, or employment, or meet immediate basic needs.

(c) The flexible funding provided under this subsection may be provided to:

- (i) Eligible youth and young adults. For the purposes of this subsection, an eligible youth or young adult is a person under age 25 who is experiencing or at risk of experiencing homelessness, including but not limited to those who are unsheltered, doubled up or in unsafe living situations, exiting inpatient programs, or in school;
- (ii) Community-based providers assisting eligible youth or young adults in attaining safe and stable housing; and
- (iii) Individuals or entities, including landlords, providing safe housing or other support designed to lead to housing for eligible youth or young adults.

(23) \$607,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$607,000)~~ \$3,607,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to assist homeowners at risk of foreclosure pursuant to chapter 61.24 RCW. Funding provided in this section may be used for activities to prevent mortgage or tax lien foreclosure, housing counselors, a foreclosure prevention hotline, legal services for low-income individuals, mediation, and other activities that promote homeownership. The department may contract with other foreclosure fairness program state partners to carry out this work.

(24) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

department to contract with a nonprofit entity located in Seattle that focuses on poverty reduction and racial equity to convene and staff a poverty reduction workgroup steering committee comprised of individuals that have lived experience with poverty. Funding provided in this section may be used to reimburse steering committee members for travel, child care, and other costs associated with participation in the steering committee.

(25) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for capacity-building grants through the Latino community fund for emergency response services, educational programs, and human services support for children and families in rural and underserved communities.

(26) \$1,400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth to administer a competitive grant process to award funding to licensed youth shelters, HOPE centers, and crisis residential centers to provide behavioral health support services for youth in crisis, and to increase funding for current grantees.

~~(27) (\$9,864,000 of the general fund—state appropriation for fiscal year 2024 and \$9,864,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for long-term rental subsidies for individuals with mental health or substance use disorders. This funding may be used for individuals enrolled in the foundational community support program while waiting for a longer term resource for rental support or for individuals transitioning from behavioral health treatment facilities or local jails. Individuals who would otherwise be eligible for the foundational community support program but are not eligible because of their citizenship status may also be served.)~~ \$2,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the city of Tukwila for costs incurred related to unsheltered, recently-arrived individuals and families. Of the amount provided in this subsection, \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for transitional and long-term housing supports, on the condition that the city of Tukwila contract with the office of refugee and immigrant assistance for the use of a location for providing tiered support services for unsheltered, recently-arrived individuals and families. The office may subcontract to provide the support services.

(28) \$9,575,000 of the general fund—state appropriation for fiscal year 2024 and \$9,575,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the Washington state office of firearm safety and violence prevention, including the creation of a state and federal grant funding plan to direct resources to cities that are most impacted by community violence. Of the amounts provided in this subsection:

(a) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community-based violence prevention and intervention services to individuals identified through the King county shots fired social network analysis. The department must complete an evaluation of the program and provide a report to the governor and the appropriate legislative committees by June 30, 2023.

(b) \$5,318,000 of the general fund—state appropriation for fiscal year 2024 and \$5,318,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to support existing programs and capacity building for new programs providing evidence-based violence prevention and

intervention services to youth who are at high risk to perpetrate or be victims of firearm violence and who reside in areas with high rates of firearm violence as provided in RCW 43.330A.050.

(i) Priority shall be given to programs that partner with the University of Washington, school of medicine, department of psychiatry and behavioral sciences for training and support to deliver culturally relevant family integrated transition services through use of credible messenger advocates.

(ii) The office may enter into agreement with the University of Washington or another independent entity with expertise in evaluating community-based grant-funded programs to evaluate the grant program's effectiveness.

(iii) The office shall enter into agreement to provide funding to the University of Washington, school of medicine, department of psychiatry and behavioral sciences to directly deliver trainings and support to programs providing culturally relevant family integrated transition services through use of credible messenger and to train a third-party organization to similarly support those programs.

(iv) Of the amounts provided under (b) of this subsection, \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a certified credible messenger program that does work in at least three regions of Washington state to train and certify credible messengers to implement a culturally responsive, evidence-based credible messenger violence prevention and intervention services program.

(c) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided to further support firearm violence prevention and intervention programs and initiatives consistent with the duties of the office as set forth in RCW 43.330A.020.

(d) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided to support safe storage programs and suicide prevention outreach and education efforts across the state.

(29) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to diaper banks for the purchase of diapers, wipes, and other essential baby products, for distribution to families in need. The department must give priority to providers serving or located in marginalized, low-income communities or communities of color; and providers that help support racial equity.

(30) \$4,500,000 of the general fund—state appropriation for fiscal year 2024 and \$4,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to counties to stabilize newly arriving refugees, including those from the 2021 Afghanistan conflict and the 2022 Ukraine-Russia conflict.

(31) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit resource center in King county that provides sexual assault advocacy services, therapy services, and prevention and outreach to begin a three-year, multigrade sexual violence prevention program in the Renton school district.

(32) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of homeless youth prevention and protection programs to colead a prevention work group with the department of children,

youth, and families. The work group must focus on preventing youth and young adult homelessness and other related negative outcomes. The work group shall consist of members representing the department of social and health services, the employment security department, the health care authority, the office of the superintendent of public instruction, the Washington student achievement council, the interagency work group on homelessness, community-based organizations, and young people and families with lived experience of housing instability, child welfare involvement, justice system involvement, or inpatient behavioral health involvement.

(a) The work group shall help guide implementation of:

(i) The state's strategic plan on prevention of youth homelessness;

(ii) Chapter 157, Laws of 2018 (SSB 6560);

(iii) Chapter 312, Laws of 2019 (E2SSB 5290);

(iv) Efforts to reform family reconciliation services; and

(v) Other state initiatives addressing the prevention of youth homelessness.

(b) The office of homeless youth prevention and protection programs must use the amounts provided in this subsection to contract with a community-based organization to support the involvement with the work group of young people and families with lived experience of housing instability, child welfare involvement, justice system involvement, or inpatient behavioral health involvement. The community-based organization must serve and be substantially governed by marginalized populations. The amounts provided in this subsection must supplement private funding to support the work group.

(33) \$22,802,000 of the general fund—state appropriation for fiscal year 2024 and \$22,803,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase existing grantee contracts providing rental or housing subsidy and services for eligible tenants in housing and homeless programs. The department must distribute funding in a manner that will prioritize maintaining current levels of homeless subsidies and services and stabilizing the homeless service provider workforce.

(34)(a) \$35,000,000 of the climate commitment account—state appropriation is provided solely for the department to administer grant funding through the existing network of federal low-income home energy assistance program grantees to provide low-income households with energy utility bill assistance.

(b) To qualify for assistance, a household must be below 80 percent of the area median income and living in a community that experiences high environmental health disparities.

(c) Under the grant program, each household accessing energy bill assistance must be offered an energy assessment that includes determining the household's need for clean cooling and heating system upgrades that improve safety and efficiency while meeting Washington's climate goals. If beneficial, households may be offered grant funding to cover the replacement of inefficient, outdated, or unsafe home heating and cooling systems with more energy efficient electric heating and cooling technologies, such as heat pumps.

(d) Of the amounts provided in this subsection, no more than 60 percent of the funding may be utilized by the department to target services to multifamily residential buildings across the state that experience high energy use, where a majority of the residents within the building are below 80 percent of the area median income and the community experiences high environmental health disparities.

(e) In serving low-income households who rent or lease a residence, the department must establish processes to ensure that the rent for the residence is not increased and the tenant is not evicted as a result of receiving assistance under the grant program.

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(f) The department must incorporate data collected while implementing this program into future energy assistance reports as required under RCW 19.405.120. The department may publish information on its website on the number of furnace or heating and cooling system replacements, including replacements within multifamily housing units.

(g) The department may utilize a portion of the funding provided within this subsection to create an electronic application system.

(35) \$55,500,000 of the general fund—state appropriation for fiscal year 2024 and \$55,500,000 of the general fund—state appropriation for fiscal year 2025 ((and \$55,500,000 of the coronavirus—state—fiscal—recovery—account—federal appropriation)) are provided solely for the department to continue grant funding for emergency housing and shelter capacity and associated supports such as street outreach, diversion services, short-term rental assistance, hotel and motel vouchers, housing search and placement, and housing stability case management. Entities eligible for grant funding include local governments and nonprofit entities. The department may use existing programs, such as the consolidated homelessness grant program, to award funding under this subsection. Grants provided under this subsection must be used to maintain or increase current emergency housing capacity, funded by the shelter program grant and other programs, as practicable due to increased costs of goods, services, and wages. Emergency housing includes transitional housing, congregate or noncongregate shelter, sanctioned encampments, or short-term hotel or motel stays. Of the amount provided in this subsection for fiscal year 2025, \$1,500,000 must be granted to a housing readiness program serving individuals experiencing homelessness in the city of Longview. Funding may be used to operate severe weather shelters, housing navigation, case management, laundry and hygiene facilities, connection to other social services, and other programs serving unhoused individuals in Cowlitz county.

(36)(a) \$75,050,000 of the general fund—state appropriation for fiscal year 2024 and \$75,050,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a targeted grant program to transition persons residing in encampments to safer housing opportunities, with an emphasis on ensuring individuals living unsheltered reach permanent housing solutions. Eligible grant recipients include local governments and nonprofit organizations operating to provide housing or services. The department may provide funding to state agencies to ensure individuals accessing housing services are also able to access other wrap-around services that enable them to obtain housing such as food, personal identification, and other related services. Local government and nonprofit grant recipients may use grant funding to provide outreach, housing, case management, transportation, site monitoring, and other services needed to assist individuals residing in encampments and on public rights-of-way with moving into housing.

(b) Of the amounts provided in this subsection:

(i) No less than \$120,000,000 must be used for housing services for persons residing on state-owned rights-of-way; and

(ii) All remaining funds may be used for housing services for persons residing in encampments, including encampments located on public lands, as defined in RCW 79.02.010, or state parks and parkways.

(c) Grant criteria must include, but are not limited to:

(i) Whether a site where the grantee will conduct outreach and engagement has been identified as a location where individuals residing in encampments or on the public right-of-way are in specific circumstances or physical locations that expose them to especially or imminently unsafe conditions;

(ii) A commitment to resolve encampments through extensive outreach followed by matching individuals with temporary lodging or permanent housing that is reasonably likely to fit with their actual needs and situation, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability;

(iii) A commitment to transition individuals who are initially matched to temporary lodging into a permanent housing placement within six months except under unusual circumstances;

(iv) Local government readiness and capacity to enter into and fulfill the grant requirements as applicable; and

(v) Other criteria as identified by the department.

(d) When awarding grants under (a) of this subsection, the department must prioritize applicants that focus on ensuring an expeditious path to sustainable permanent housing solutions, and that demonstrate an understanding of working with individuals to identify their optimal housing type and level of ongoing services through the effective use of outreach, engagement, and temporary lodging and permanent housing placement.

(e) Grant recipients under (a) of this subsection must enter into a memorandum of understanding with the department, and other state agencies if applicable, as a condition of receiving funds. Memoranda of understanding must specify the responsibilities of the grant recipients and the state agencies, consistent with the requirements of (c) of this subsection, and must include specific measurable outcomes for each entity signing the memorandum. The department must publish all signed memoranda on the department's website and must publish updates on outcomes for each memorandum at least every 90 days, while taking steps to protect the privacy of individuals served by the program. At a minimum, outcomes must include:

(i) The number of people actually living in any encampment identified for intervention by the department or grantees;

(ii) The demographics of those living in any encampment identified for intervention by the department or grantees;

(iii) The duration of engagement with individuals living within encampments;

(iv) The types of housing options that were offered;

(v) The number of individuals who accepted offered housing;

(vi) Any reasons given for why individuals declined offered housing;

(vii) The types of assistance provided to move individuals into offered housing;

(viii) Any services and benefits in which an individual was successfully enrolled; and

(ix) The housing outcomes of individuals who were placed into housing six months and one year after placement.

(f) Grant recipients under (a) of this subsection may not transition individuals from encampments or close encampments unless they have provided extensive outreach and offered each individual temporary lodging or permanent housing that matches the actual situation and needs of each person, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability. Grant recipients who initially match an individual to temporary lodging must make efforts to transition the person to a permanent housing placement within six months except under unusual circumstances. The department must establish criteria regarding the safety, accessibility, and habitability of housing options to be offered by grant recipients to ensure that such options are private, sanitary, healthy, and dignified, and that grant recipients provide options that are well-matched to an individual's assessed needs.

(g) Funding granted to eligible recipients under (a) of this subsection may not be used to supplant or replace existing funding provided for housing or homeless services.

(37) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase funding for the community services block grant program. Distribution of these funds to community action agencies shall prioritize racial equity and undoing inequity from historic underinvestment in Black, indigenous, and people of color, and rural communities.

(38) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization to identify opportunities for cities in Whatcom county to improve access to affordable housing through conducting market research, engaging stakeholders, and developing tools and implementation strategies for cities that will increase access to affordable housing. The grant recipient must be a nonprofit organization based in Bellingham that promotes affordable housing solutions and with a mission to create thriving communities.

(39) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization located in the city of Redmond that serves Latino low-income, immigrant, and Spanish-speaking communities in King and Snohomish counties through arts and culture events and community services. The grant funding may be used to expand existing programs including, but not limited to, support for small businesses, rent assistance, vaccination and COVID-19 outreach, programs aimed at increasing postsecondary enrollments in college and trade schools, and other community services and programs.

(40) ~~(\$4,000,000)~~ \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$4,000,000)~~ \$6,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to community-based organizations that serve historically disadvantaged populations to conduct outreach and to assist community members in applying for state and federal assistance programs including, but not limited to, those administered by the department of social and health services, department of commerce, and department of children, youth, and families.

(41) ~~(\$150,000)~~ \$110,000 of the general fund—state appropriation for fiscal year 2024 ~~(~~is~~)~~ and \$40,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization located in the city of Issaquah to provide cultural programs and navigational supports for individuals and families who may face language or other cultural barriers when engaging with schools, public safety, health and human services, and local government agencies.

(42) \$200,000,000 of the community reinvestment account—state appropriation is provided solely for the department to distribute grants for economic development, civil and criminal legal assistance, community-based violence intervention and prevention services, and reentry services programs. Grants must be distributed in accordance with the recommendations of the community reinvestment plan developed pursuant to section 128(134), chapter 297, Laws of 2022 (ESSB 5693).

(43) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000,000 of the covenant homeownership account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1474 (covenant homeownership prg.). ~~(If the bill is not enacted by~~

~~June 30, 2023, the amounts provided in this subsection shall lapse.)~~

(44) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional staffing for the developmental disabilities council.

(45) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Spokane to provide transitional housing, educational programs, and other resources for refugee and immigrant families.

(46) \$1,169,000 of the general fund—state appropriation for fiscal year 2024 and \$1,169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~

(47) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a dispute resolution center located in Snohomish county to provide mediation and resolution services for landlords and tenants, with the goal of avoiding evictions.

(48) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for grants to nonprofit organizations to operate hunger relief response programs serving individuals living in permanent supportive housing. Of the amounts provided in this subsection:

(a) \$275,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization located in King county.

(b) \$225,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization located in Spokane county.

(49) \$180,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit organization operating a teen center in the city of Issaquah to provide case management and counseling services for youth ages 12 to 19.

(50)(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit community-based organization for the coordination of a gang violence prevention consortium with entities including community-based organizations, law enforcement, and members of the faith community, and to continue and expand after-school activities and social services for students and young adults in the Yakima valley. Social services may include, but are not limited to, employment, mental health, counseling, tutoring, and mentoring services. The grant recipient must be a community-based organization located in Granger operating a Spanish language public radio station and with the mission of addressing the social, educational, and health needs of economically disadvantaged Spanish-speaking residents of central and eastern Washington.

(b) By June 30, 2025, the department must provide a report to the appropriate committees of the legislature. The report must include: (i) A description of the gang violence prevention programs conducted by the consortium and how they were implemented; and (ii) The number of individuals who participated in or received services through the programs conducted by the consortium, including any relevant demographic data for those individuals.

(51) \$400,000 of the general fund—state appropriation for fiscal year ~~(2024)~~ 2025 is provided solely for the department to

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contract with a nonprofit organization to develop an affordable housing predevelopment plan. The affordable housing predevelopment plan must assess the feasibility of using surplus public land located at or near north Seattle Community College and Highline Community College for the development of affordable colocated housing that could serve low and moderate-income state workers. The contract recipient must be an organization that provides consultation services on affordable housing development. In creating the predevelopment plan, the contract recipient must solicit input from interested parties including, but not limited to, low-income and affordable housing experts, policy staff in the office of the governor, state public employee unions, and legislators. The contract recipient may also use funds provided under this subsection for affordable housing predevelopment work at North Seattle Community College or Highline Community College.

(52) \$781,000 of the general fund—state appropriation for fiscal year 2024 and \$781,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1406 (youth seeking housing assist). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(53)(a) \$1,750,000 of the general fund—state appropriation for fiscal year 2024 and \$1,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of firearm safety and violence prevention to continue a healthy youth and violence prevention initiative demonstration program serving south King county, with the goal of preventing violence, decreasing involvement with the juvenile justice system, and encouraging health and wellbeing for youth and young adults ages 12 to 24. As part of the demonstration program, the office must provide grant funding to and partner with a community-based organization to serve as a regional coordinator to:

- (i) Connect youth and young adults ages 12 to 24 who are most vulnerable to violence with programs that provide services including, but not limited to, street outreach, youth employment and preapprenticeship programs, case management, behavioral health services, and other services as appropriate; and
- (ii) Assist local governments, service providers, and nonprofit organizations in accessing and leveraging federal, state, and local funding for violence prevention and related services.

(b) The grant recipient under (a) of this subsection must be a nonprofit health system currently administering a violence prevention initiative in King and Pierce counties. The grant recipient may subgrant or subcontract funds to programs providing services as described in (a)(i) of this subsection.

(54) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a nonprofit sexual assault resource center located in Renton. Grant funding may be used for information technology improvements focused on client data management that will improve client access to health services, cybersecurity, and data privacy.

(55)(a) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of existing contracts with a nonprofit organization to increase housing supply and equitable housing outcomes by advancing affordable housing developments, including supportive housing, transitional housing, shelter, or housing funded through the apple health and homes program, that are colocated with community services such as education centers, health clinics, nonprofit organizations, social services, or community spaces or facilities, available to residents or the public, on underutilized or tax-exempt land.

(b) The contract recipient must use the funding provided under this subsection to:

(i) Implement strategies to accelerate development of affordable housing with space for education centers, health clinics, nonprofit organizations, social services, or community space or facilities, available to residents or the public, on underutilized or tax-exempt land;

(ii) Analyze the suitability of properties and sites for affordable housing as described under (b)(i) of this subsection, including existing buildings for supportive housing, through completing due diligence, conceptual design, and financial analysis activities, and applying and implementing an equity lens in site selection, program planning, development, and operations;

(iii) Work with elected officials, local governments, educational institutions, public agencies, local housing and community development partners, early learning partners, health care providers, and nonprofit service organizations to:

(A) Identify and catalyze surplus, underutilized, or tax-exempt properties for the development of affordable housing;

(B) Provide catalytic funding and technical assistance to advance the development of affordable housing, including by identifying funding sources to support the needs of specific projects; and

(C) Identify impediments to the development of affordable housing and develop recommendations and strategies to address those impediments, reduce costs, advance community vision and equitable outcomes, and accelerate predevelopment and development times associated with affordable housing;

(iv) Organize community partners and build capacity to develop affordable housing sites;

(v) Facilitate collaboration and codevelopment between affordable housing and education centers, health clinics, nonprofit organizations, social services, or community spaces and facilities available to residents or the public;

(vi) Provide technical assistance and predevelopment services to support future development of sites; and

(vii) Catalyze the redevelopment of at least 20 sites to create approximately 2,000 affordable homes.

(c) Funding may also be used to:

(i) Partner with state, regional, and local public entities, nonprofit housing developers, and service providers to develop a broad range of housing types for supportive housing for populations authorized to receive the housing benefit under the apple health and homes act;

(ii) Provide technical assistance on the constructive alignment of state or local capital funds and other services for the construction, acquisition, refurbishment, redevelopment, master leasing of properties for noncongregate housing, or conversion of units from nonresidential to residential, of dwelling units for supportive housing funded through the apple health and homes program;

(iii) Advise on local community engagement, especially with populations with lived experience of homelessness and housing insecurity, for supportive housing funded through the apple health and homes program;

(iv) Subcontract for specialized predevelopment services, as needed, and subgrant to reimburse for supportive housing funded through the apple health and homes program; and

(v) Hire staff necessary to implement activities under (b) and (c) of this subsection.

(56)(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue a lifeline support system pilot project to assist individuals who have experienced or are at risk of entering

into public systems of care. Public systems of care include office of homeless youth prevention and protection shelter and housing programs, the juvenile justice system, dependency under chapter 13.34 RCW, and inpatient behavioral health treatment.

(b)(i) The lifeline must function as a no-wrong-door access point for support and connections to services for qualifying individuals who require assistance to overcome a life challenge that could escalate into a crisis, or who are in need of general mentorship and counsel. The lifeline support system must facilitate and promote partnerships across state agencies, federally recognized tribes, counties, and community-based providers to coordinate trauma-informed and culturally responsive services for youth and young adults and their supports. The department is authorized to implement lifeline services through contracts with community partners and nonprofit organizations.

(ii) From amounts provided in this subsection, the department must allocate funding to establish a lifeline fund program. The department may use moneys allocated for the fund program to assist community partners and nonprofit organizations to implement lifeline services when those providers cannot identify an existing resource to resolve a recipient's need. The department must establish an application process and criteria for the fund program.

(c) By June 30, 2025, the department shall report to the legislature regarding the success and shortcomings of the lifeline support system, request-for-service outcomes, and the demographics of beneficiaries.

(57) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization to provide legal aid in subjects including, but not limited to, criminal law and civil rights cases for underserved populations focusing on Black gender-diverse communities. The grant recipient must be a nonprofit organization with offices in Seattle and Tacoma and with a mission to provide intersectional legal and social services for Black intersex and gender-diverse communities in Washington.

(58) \$213,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$213,000)~~ \$773,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization within the city of Tacoma that provides social services and educational programming to assist Latino and indigenous communities in honoring heritage and culture through the arts, and in overcoming barriers to social, political, economic, and cultural community development. Of the amounts provided in this subsection:

(a) \$175,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$175,000)~~ \$535,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for education and training programming in community health organizing, "promotora" health education, grassroots organizing, leadership development, college preparedness and financial aid outreach, small business technical support and education, and civic engagement focused on Latino and indigenous community members; and

(b) \$38,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$38,000)~~ \$238,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for ~~(advocacy, translation services, emergency housing, and other services for victims of crime and domestic violence)~~ family support services for bilingual, bicultural clients.

(59) \$500,000 of the general fund—state appropriation for fiscal year 2024 ~~(is)~~ and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grants to nonprofit organizations

including, but not limited to, religious nonprofits, "by and for" organizations, or cultural community centers, to fund the physical security or repair of such institutions. Grant recipients must ~~(have reasons to believe they have been subject to security threats and must demonstrate a need for enhanced security. Grant funding must be used and limited to the purchase of security hardware and equipment to enhance the security of the buildings and grounds of such organizations)~~ substantiate that their site or sites have been subject to or at risk of physical attacks, threats, vandalism, or damages based on their mission, ideology, or beliefs and demonstrate a need for investments in physical security enhancements, construction or renovation, target hardening, preparedness planning, training, or exercises.

(60) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grant funding to a nonprofit organization to provide supports, including behavioral health resources, housing services, and parenting education, to parents with substance use disorder. The grant recipient must be a nonprofit organization located in the south Puget Sound region that provides a parent child assistance program and focuses on building parenting skills and confidence to ensure children have safe and healthy childhoods.

(61) \$450,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for costs to develop and operate community-based residential housing and services for youth wellness spanning a range of needs and circumstances at the Pacific hospital preservation and development authority quarters, buildings three through 10 in Seattle. The amounts provided in this subsection may be used for planning, lease payments, and other related expenses for the development and operation of comprehensive residential programs providing housing, on-site social services, and community-based resources for youth identified by the department of commerce, the department of children, youth, and families, or the health care authority. The funding may also be used for the preparation and issuance of a request for qualifications for a site operator, or lease management and related administrative functions. The department is authorized to enter into a lease, with an option to enter into multiyear extensions, for the Pacific hospital preservation and development authority quarters, buildings three through 10.

(62) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization based in the city of Seattle that works to improve the quality of life for low-income families and members of the refugee and immigrant community, with a focus on the Somali and Oromos community. The grant funding may be used to expand current programs including, but not limited to, case management and referral services for immigrants and refugees, youth programs, and services for seniors.

(63) \$270,000 of the general fund—state appropriation for fiscal year 2024 and \$270,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization headquartered in Mount Vernon for costs to operate and provide homeless services at a low-barrier emergency temporary homeless center located in Burlington.

(64) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Seattle that provides legal assistance and representation to survivors of sexual and gender-based violence to expand their current services

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including, but not limited to, legal assistance and representation; technical assistance for advocates, providers, and attorneys; community education and trainings; and other legal support services. In providing services, the grant recipient must protect the privacy, safety, and civil rights of survivors and utilize trauma-informed practices and equity principles.

(65) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a nonprofit organization serving King and Snohomish counties for a program conducted in partnership with King county, which serves individuals who are involved in the criminal justice system and who have experienced domestic, sexual, or gender-based violence. The grant recipient may use the funding for costs including, but not limited to, legal advocacy, outreach, connecting clients to housing and other resources, data analytics, and staffing.

(66) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of crime victims advocacy to contract for a study of the impacts of the commercial sex industry on Black and African American communities in Washington, with a focus on Black and African American persons who identify as female. The office must contract with an organization that has expertise on the topic of the commercial sex industry and Black communities in Washington. The study must include a review of the impacts of the commercial sex industry on Black and African American residents of Washington, and culturally informed and survivor-informed policy recommendations for reducing sex trafficking and sexual exploitation of Black and African American Washingtonians. The department must submit a report of the study findings to the appropriate committees of the legislature by September 1, 2024.

(67) \$20,656,000 of the general fund—state appropriation for fiscal year 2024 and \$20,655,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to crime victims service providers to ensure continuity of services impacted by reductions in federal victims of crime act funding and to help address increased demand for services attributable to the COVID-19 pandemic. The department must distribute the funding in a manner that is consistent with the office of crime victims advocacy's state plan. Of the amounts provided in this subsection:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to programs operated by and for historically marginalized populations to support "by and for" culturally specific services for victims of domestic violence, sexual assault, and other crimes in historically marginalized populations. Marginalized populations can include, but are not limited to, organizations or groups composed along racial, ethnic, religious, sexual orientation, and gender lines.

(b) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to programs developed to support the enhancement and development of additional services for tribal members, including programs to address needs of crime victims, including strategies which integrate services or multiple crime types.

(68) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the city of Seattle for start-up costs for the Seattle social housing developer and to meet the requirements of the city of Seattle initiative 135, which concerns developing and maintaining affordable social housing in

Seattle. The funding provided under this subsection may only be used for costs associated with creating social housing developments, operating costs associated with maintaining social housing developments, and administrative costs of operating social housing.

(69) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to contract with a nonprofit to provide wraparound services for homeless families with children, including prevention, shelter, and stabilization services. The nonprofit must be located in Pierce county and be an affiliate of a national organization dedicated to preventing and ending family homelessness by providing prevention, shelter, and stabilization services.

(70) Within existing resources, the department must submit an interim and a final report to the appropriate committees of the legislature on efforts taken by the department to stabilize rents for tenants of affordable housing units financed through the housing assistance program created under RCW ~~((43.185.015))~~ 43.185A.020 including, but not limited to, efforts to limit or mitigate the impacts of rent increases for tenants of qualifying units. The department must submit the interim report by December 1, 2023, and the final report by December 1, 2024.

(71) Before awarding or entering into grants or contracts for the 2023-2025 fiscal biennium for homeless housing and service programs that are funded from the home security fund account or the affordable housing for all account, the department must first consult with local governments and eligible grantees to ensure that funding from these accounts is used to maintain the quantity and types of homeless housing and services funded in local communities as of February 28, 2023. The department may take into consideration local document recording fee balances and individual county fluctuations in recording fee collections when allocating state funds. The department must redeploy funds to other nonprofit and county grantees if originally granted amounts are not expended or committed within a reasonable timeline. The department may then provide funding to eligible entities to undertake the activities described in RCW ~~((36.22.176(1)(c)(i)))~~ 36.22.250(4)(b), such as funding for project-based vouchers and other assistance necessary to support permanent supportive housing as defined in RCW 36.70A.030 or as administered by the office of apple health and homes created in RCW 43.330.181.

(72) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to an Everett-based affiliate of a national nonprofit human services organization to stabilize newly arriving refugees from the 2021 Afghanistan conflict and the 2022 Ukraine conflict.

(73) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit organization to expand private capacity to provide legal services for indigent foreign nationals in contested domestic relations and family law cases. The contract recipient must be a nonprofit organization headquartered in the city of Seattle that provides training to attorneys and judges on international family law issues and provides direct representation to qualified indigent clients. Amounts provided in this subsection may not be expended for direct private legal representation of clients in domestic relations and family law cases.

(74) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a youth development organization providing civic engagement and education through a youth and government program. The grant is provided solely for support of the organization's mock trial and youth legislature programs.

(75) \$252,000 of the general fund—state appropriation for fiscal year 2024 and \$229,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5198 (mobile home community sales). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(76) \$1,694,000 of the general fund—state appropriation for fiscal year 2024 and \$1,694,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5561 (law enforcement community grants). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(77) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5599 (protected health care/youth). The entirety of this amount is provided for the office of homeless youth for prevention and protection programs to provide supportive care grants to organizations to address the needs of youth seeking protected health care services. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(78) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Monroe to continue existing pilot projects that enable the city to dispatch human services and social services staff in conjunction with law enforcement staff to support unhoused residents and residents in crisis.

(79) ~~((~~\$2,850,000~~))~~ \$2,574,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$2,850,000~~))~~ \$3,126,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5114 (sex trafficking). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~((~~81~~))~~ (80) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Bellevue for one-time expenses required for the operation of an expanded community service center to help low-income individuals and immigrant and refugee community members. The center will join with community partners to provide utility rate and rent relief; health care access; energy assistance; food access; medical, legal and financial services; housing; childcare resources; employment assistance; and resources for starting a business.

~~((~~82~~))~~ (81) \$215,000 of the general fund—state appropriation for fiscal year 2024 and \$345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to produce a report to the legislature detailing the scope of work, cost estimates, and implementation timeline to create or procure an online registry of rental units in Washington state subject to state information system planning and oversight requirements. The online rental unit registry must have the capacity to collect and report out timely information on each rental unit in the state. Information to collect includes, but is not limited to, the rental unit's physical address, identity of the property owner, monthly rent charged, and vacancy status. The scope of work must assume integration with existing rental registries operated by local governments. Cost and timeline estimates must provide two alternatives with one assuming statewide implementation and the other assuming implementation in the six largest counties of the state. The department shall consult with landlord representatives, tenant representatives,

local governments operating existing rental registries, and other interested stakeholders as part of the process of developing the scope of work and timeline for the online rental unit registry. The department must submit the report to the legislature by December 1, 2024.

~~((~~83~~))~~ (82) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a Seattle based nonprofit to create a temporary space to allow youth and low-income populations to participate in ice rink related events during the 2024 national hockey league winter classic.

~~((~~84~~))~~ (83) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization based in Kitsap county that partners with the Bremerton and central Kitsap school districts, first responders, and other organizations to expand implementation of the handle with care program.

~~((~~85~~))~~ (84) \$371,000 of the general fund—state appropriation for fiscal year 2024 and \$371,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Pacific county to operate or participate in a drug task force to enhance coordination and intelligence while facilitating multijurisdictional criminal investigations.

~~((~~86~~))~~ (85) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for distribution to statewide and community asset building coalitions across Washington to support capacity in organizations that coordinate financial health services and outreach efforts around poverty reduction resources such as the earned income tax credit and the working families tax credit.

~~((~~87~~))~~ ~~\$400,000~~ (86) \$200,000 of the general fund—state appropriation for fiscal year 2024 ~~((~~is~~))~~ and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community based organization in Whatcom county to expand services to unhoused and low-income residents of Ferndale and north Whatcom county and to provide a safe parking program.

~~((~~88~~))~~ (87) \$155,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to an organization in Pierce county experienced in providing peer-to-peer training, to develop and implement a program aimed at reducing workplace sexual harassment in the agricultural sector. Funding will be used to continue peer-to-peer trainings for farmworkers in Yakima county and expand services into Grant and Benton counties. Funding may also be used to support an established network of farmworker peer trainers whose primary purpose is to prevent workplace sexual harassment and assault through leadership and education. The organization is expected to share best practices from their peer-to-peer model at a statewide conference.

~~((~~89~~))~~ (88) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Seattle-based nonprofit that provides holistic services to help refugee and immigrant women. Funds must be used to expand an existing program that increases equity in ice skating and hockey by providing skate lessons to preschoolers from diverse and low-income families.

~~((~~90~~))~~ (89)(a) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$1,000,000~~))~~ \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to administer grants to strengthen family resource center services and increase capacity statewide. Grant funding may be used: For an organization to

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provide new services in order to meet the statutory requirements of a family resource center, as defined in RCW 43.216.010; to increase capacity or enhance service provision at current family resource centers, including but not limited to direct staffing and administrative costs; and to conduct data collection, evaluation, and quality improvement activities. The department may award an amount from \$30,000 up to \$200,000 per grant recipient.

(b) Eligible applicants for a grant under (a) of this subsection include current family resource centers, as defined in RCW 43.330.010, or organizations in the process of becoming qualified as family resource centers. Applicants must affirm their ability and willingness to serve all families requesting services in order to receive a grant. Applicants must currently be or agree to become a member of a statewide family resource center network during the grant award period in order to receive a grant. Applicants must provide proof of certification in the standards of quality for family strengthening and support developed by the national family support network for one member of the applicant's organizational leadership in order to receive a grant.

(c) In distributing grant funding, the department must, to the extent it is practicable, award 75 percent of funding to organizations located west of the crest of the Cascade mountains, and 25 percent of funding to organizations located east of the crest of the Cascade mountains.

(d) By July 1, 2025, grant recipients must submit a report to the department on the use of grant funding, including, but not limited to, progress in attaining status as a family resource center, if applicable; the number and type of services offered to families; demographic and income data for families served; and family post-service outcomes. By September 1, 2025, the department must submit a report to the Legislature on topics including, but not limited to, the grant application process; needs identified by family resource centers; and use of funds by grant recipients.

(e) Of the amounts provided in (a) of this subsection, \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to the statewide nonprofit organization that serves as the registered Washington state network member of the national family support network. The grant recipient may use the grant funding for costs including, but not limited to, outreach and engagement, data and evaluation, and providing training and development opportunities in support of family resource centers statewide.

~~((94))~~ (90) \$9,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$9,000,000)~~ \$34,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department for grants to local governments for maintaining programs and investments which are primarily funded through the document recording fee ~~((s))~~ collected pursuant to RCW ((36.22.178, 36.22.179, and 36.22.1794)) 36.22.250. In allocating grant funding to local jurisdictions, awards must be based on a formula, determined by the department, to ensure that grants are distributed equitably among cities and counties.

~~((93))~~ (91)(a) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a law enforcement technology grant program for the purpose of providing law enforcement with modern vehicle pursuit management technology including, but not limited to, global positioning system tracking equipment, automated license plate reading technology, aircraft, and nonarmed and nonarmored drone technology.

(b) Grants must be awarded to local law enforcement agencies based on locally developed proposals. The department shall

establish policies for applications under this subsection in addition to criteria for evaluating and selecting grant recipients. A proposal must include a request for specific technology and a specific plan for the implementation, use, and effectiveness reporting of that technology.

(c) Before grants are awarded, each local law enforcement agency seeking to acquire vehicle pursuit technology must:

(i) Establish data-sharing and management policies including policies related to sharing data between law enforcement agencies and other third parties; and

(ii) Establish policies ensuring all personnel who operate the vehicle pursuit technology, or access the vehicle pursuit technology data, are trained to use that technology and are able to comply with the data-sharing and management policies prior to the operational use of the vehicle pursuit technology.

(92) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the distribution of grants to cities, counties, or nonprofit organizations to support individuals in need of emergency housing assistance. Emergency housing assistance may include, but is not limited to, short-term rental assistance, moving costs, other one-time costs associated with identifying and obtaining housing, or temporary shelter in the event of a crisis or when people have been displaced. Funding provided under this subsection must be prioritized for entities that can demonstrate that the population served includes families with children, pregnant individuals, or other medically vulnerable individuals. The department may only distribute funding under this subsection upon coordination with the office of the governor.

(93)(a) \$2,700,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to continue to provide grant funding to local multijurisdictional task forces that previously received funding through the federal Edward Byrne memorial justice assistance grant program. Grants provided under this section must be used consistent with the requirements of Edward Byrne memorial justice assistance grants and with national best practices for law enforcement.

(b) Of the amounts provided in this subsection, \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department, with the office of the governor, to coordinate three roundtables to review policies, regulations, and fiscal investments regarding multijurisdictional drug task forces in Washington state. The roundtables must include representatives from state, tribal, and local governments, and invite representatives from the federal government. By June 30, 2025, the department must submit a summary report of the roundtable's findings to the appropriate committees of the legislature.

(94) \$475,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization located in King county that develops training and support for low-income individuals, with a focus on women and people of color, to move into the construction industry for living wage jobs. The grant funding must be used to support a preapprenticeship program that, through the construction of units, integrates housing and workforce development in service of the following goals:

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

(b) Providing construction training to underserved populations;

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

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

(95) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to assist local law enforcement agencies throughout the state in establishing community-supported programs for officers to provide short-term assistance such as food, clothing, fuel, and other means of support during interactions with community members in need. The grant recipient must be a nonprofit organization headquartered in Puyallup with experience in assisting local law enforcement agencies in administering such programs. Local law enforcement agencies that establish community-supported programs under this subsection may also pursue private funding to support the provision of assistance.

(96) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to nonprofit organizations to provide homeownership assistance to homeowners and first-time homebuyers from communities served by those organizations. Homeownership assistance activities may include, but are not limited to, housing counseling for current homeowners; housing counseling for first-time homebuyers; financial literacy education for homeowners and homebuyers; and outreach. Of the amounts provided in this subsection:

(a) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are for a grant to a nonprofit community land trust headquartered in the city of Seattle with a mission to acquire, develop, and steward land in the greater Seattle area to empower and preserve the Black diaspora community; and

(b) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are for a grant to a nonprofit community-based organization based in the city of Seattle with a mission to provide resources, education, and advocacy to help Black homeowners achieve and sustain homeownership.

(97) \$240,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide holistic reentry support to persons formerly incarcerated in prisons in Washington state. The grant recipient must be a nonprofit organization based in King county that promotes healing, relationships, and humanity by providing services including community-based reintegration support, gun violence intervention processes, and healing work through antioppression and culturally-responsive compassionate communication workshops, and which uses the evidence-based credible messengers model.

(98) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide essential social services for low-income families and individuals. The grant recipient must be a nonprofit community action agency based in the city of Seattle that provides safety-net services for low-income families and individuals and that has a history of serving the African American community in the Central District.

(99) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to contract with a social purpose corporation that operates a cultural community center located in the city of Tumwater to provide a trauma-informed cultural and job training program for people of color and those facing barriers to employment.

(100) \$395,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide a grant to the Yakima valley local crime lab for analysis and data collection on firearm crimes, support for investigations for deaths related to fentanyl, and to support the rapid DNA work group.

(101) \$2,000,000 of the general fund—state appropriation for

fiscal year 2025 is provided solely for the department to contract with the housing finance commission for activities related to the implementation of the covenant homeownership program created in chapter 43.181 RCW. Of the amounts provided in this subsection:

(a) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to contract through a request for proposals process with nonprofit community organizations, public housing agencies, or public development authorities across the state who are focused on increasing homeownership or are serving communities eligible for assistance through the covenant homeownership program to:

(i) Provide the full spectrum of housing counseling services, including prepurchase counseling, assistance in the home buying process, and support to maintain homeownership and prevent foreclosure, including community outreach efforts; and

(ii) Provide technical assistance to "by and for" homeownership developers in areas such as site identification and predevelopment activities in order to increase the quantity of starter homes for first-time homebuyers who are eligible for assistance through the covenant homeownership program.

(b)(i) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to draft a plan with specific strategies to:

(A) Reduce the cost of starter homes for first-time homebuyers and lessen other costs associated with purchasing a home;

(B) Acquire publicly owned and other sites that can be dedicated to homeownership;

(C) Identify other ways to further enable first-time homebuyers to afford their home purchase; and

(D) Encourage a variety of design and development options for starter homes.

(ii) The commission must submit the plan developed under (b)(i) of this subsection to the governor and the appropriate committees of the legislature by January 15, 2025.

(102) \$750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to complete the acquisition of property for a community center to provide services to residents in south King county. The grant recipient must be a community action agency headquartered in the city of Seattle with an office in the city of Federal Way, and that is grounded in the Latino community of Washington state.

(103) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to administer housing assistance for persons who are fleeing or who have recently fled intimate partner violence. The department must allocate funding through contracts with service providers that have current contracts with the office of crime victims advocacy to provide services for survivors of intimate partner or domestic violence. A provider must use at least 80 percent of contracted funds for rental payments to landlords and the remainder for other program operation costs. Priority for assistance must be provided to survivors who face the greatest risk of serious violence and have the least access to housing resources.

(104) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization that operates a community resource center in the city of Ferndale to maintain and expand services for families and individuals, including but not limited to providing one-on-one navigation services to access housing and other assistance; providing clothing, food, and other forms of immediate assistance; and conducting direct outreach to unhoused individuals and families.

(105) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit

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organization to conduct planning and site development activities for building affordable housing in the city of Roslyn. The grant recipient must be a nonprofit organization with offices in Seattle and Roslyn and with a mission to innovate and scale land-based solutions to address the climate crisis and support equitable, green, and prosperous communities.

(106) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide culturally competent legal services, training, outreach, and education to immigrant workers regarding a federal deferred action program for workers who are victims or witnesses of violations of labor rights during labor disputes. The grant recipient must be a nonprofit organization that operates a free civil legal aid clinic in partnership with Seattle University and the University of Washington that educates, advises, and represents workers in employment law cases.

(107) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with two nongovernmental organizations to host a Washington state developmental disabilities intersectional summit in October 2024. The purpose of the summit is to analyze systemic barriers impacting the lives of BIPOC individuals with intellectual and developmental disabilities and their families, and to identify solutions for addressing those barriers. The contract recipients must be nongovernmental organizations that are BIPOC-led and that have demonstrated skills and experience working for and with people with developmental disabilities and their families.

(108) \$787,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the statewide reentry council to implement a pilot project to operate a trauma-informed, peer-based, human dignity model reentry program at the Lynnwood municipal jail. The reentry program must provide peer-led intensive case management services for participants that are both prerelease and postrelease.

(109) \$34,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to local governments for homeless housing programs and services, including but not limited to emergency housing and shelter, temporary housing, and permanent supportive housing programs. Of the amounts provided in this subsection:

(a) \$12,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to King county to maintain shelter, emergency housing, and permanent supportive housing programs.

(b) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the city of Tacoma to prevent the closure of temporary and emergency shelter beds.

(c) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the city of Spokane to provide temporary emergency shelter for homeless individuals and for costs associated with transitioning individuals from their current shelter location to smaller shelters and inclement weather centers.

(d) \$15,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to local jurisdictions who are not eligible for funding under (a), (b), or (c) of this subsection. Grant funds must be prioritized for maintaining existing levels of service and preventing the closure of existing beds or programs.

(110) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to expand support services and mentorship programs serving at-risk youth, with a focus on BIPOC and transgender youth, in Kitsap county. The grant recipient must be a nonprofit

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organization based in Kitsap county that provides advocacy and other support services for at-risk youth and their families, with a focus on BIPOC and LGBTQ youth.

(111) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to support the development of and outreach for community-led mental health support groups and classes serving individuals and families throughout Washington state, with special focus on Latino communities, rural areas, and tribes. The grant recipient must be a nonprofit organization that serves as the Washington state office of a national grassroots mental health organization dedicated to building better lives for individuals affected by mental health conditions.

(112) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide support to self-advocates, caregivers, and others in attending a summit addressing the topic of federal and state funding for programs that benefit people with developmental disabilities in 2025. The grant recipient must be a nonprofit organization that advocates for and beside children and adults with intellectual and developmental disabilities and their families that is headquartered in the city of Olympia.

(113) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a nonprofit organization to maintain and increase access to technical assistance, advice, fundraising services, and foundational support such as human resources, information technology, and financial services for community-based nonprofit organizations in Washington. The contract recipient must be a nonprofit organization headquartered in the city of Seattle that provides management and technology consulting, training, and free advisory services for nonprofit and community-based organizations.

(114) \$230,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to expand an existing gang prevention program that provides mentoring, education, and drug awareness services for elevated-risk youth in middle and elementary schools in Yakima county, with the goals of reducing youth gang involvement, increasing school enrollment and reducing truancy, and reducing the accessibility and usage of drugs by elevated-risk youth. The grant recipient must be a nonprofit organization based in Yakima that provides outreach, education, and prevention services to improve community safety in the Yakima valley, including a drug-free coalition and a youth mentoring program.

(115) \$120,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to two nonprofit entities to establish 4-H curriculum-based initiatives for students and foster educational opportunities tied to the land grant university knowledge base. One grant recipient must be a nonprofit entity operating multiple locations in Skagit county and have at least 25 years of experience serving youth in the region, and one grant recipient must be a nonprofit entity operating multiple locations in Snohomish county with at least 75 years of experience serving youth in the region.

(116) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to expand their mentoring, job training, and internship programs for at-risk youth. The grant recipient must be a nonprofit organization who serves at-risk youth in the Snoqualmie and Issaquah valleys through mentoring, job skill development, and teen internship programs in coordination with local school districts.

(117) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the Vancouver

housing authority for the operational and services costs of a licensed residential care facility located in Vancouver that provides housing and other services for low-income, disabled, and homeless and formerly homeless individuals.

(118) \$198,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization for activities to develop affordable housing units and permanent supportive housing units for individuals with intellectual and developmental disabilities in rural Snohomish and Skagit counties. The grant recipient must be a nonprofit organization headquartered in Arlington that offers client housing, residential supported living services, employment services, job readiness and life skills training, and arts and music enrichment programs to individuals with intellectual and developmental disabilities.

(119) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to Whatcom county to increase the number of families served through a family motel shelter program.

(120) \$81,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2329 (insurance market/housing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(121) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide technical assistance and direct resident support to residents of manufactured and mobile home communities immediately following a notice of sale issued pursuant to RCW 59.20.300. The grant recipient must be a nonprofit organization headquartered in the city of Olympia that assists new and existing cooperative businesses, with emphasis on resident owned communities, home care agencies, and converting existing businesses into worker-owned or community-owned cooperatives.

(122) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct a comprehensive study to identify and analyze funding structures to preserve manufactured and mobile home communities as nonprofit or cooperatively-run affordable housing projects. In conducting the study, the department must consult with financial experts, conduct field interviews, and identify existing and innovative funding options to support the creation of resident-owned communities. The department must submit a report summarizing the study's findings to the governor and the legislature by June 30, 2025.

(123) \$54,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6175 (existing structures/tax). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(124)(a) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a contract with a statewide organization with a mission of developing new and innovative ways to combat organized retail crime to implement a pilot program to respond to organized retail crime, with a focus on diversion-oriented programs.

(b) The contract recipient must establish three pilot program sites. The contract recipient must make a reasonable effort to establish at least one site east of the Cascade mountains. No single pilot site may use more than \$300,000 of the funding provided under this subsection.

(c) The contract recipient must use the funds to coordinate community efforts to enhance responses to organized retail crime within each pilot site area. Coordination must include the following entities: Cities, counties, or affiliated associations with

programs focused on diversion and restitution; local retail stores; law enforcement agencies; local prosecutors and public defense; and therapeutic courts. Funding may also be used for planning and other activities to achieve a targeted response to reported retail crimes from diversion programs or law enforcement agencies.

(d) The contract recipient must provide a report to the department by June 15, 2025, on the number of responses to retail crime and the number of diversions initiated for each pilot site, data regarding the role of local prosecutors at each site, and opportunities and challenges in retail crime response and diversion identified by pilot participants. The department must submit the report to the appropriate committees of the legislature by June 30, 2025.

(125) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to continue sexual assault prevention education programming to K-12 schools in Tacoma and expand services to the Franklin Pierce school district. The grant recipient must be a state-accredited community sexual assault program serving Pierce county that provides professional training, prevention education, intervention, and advocacy programs for victims of sexual assault, sexual abuse, and sex trafficking.

(126) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide community-based healing-centered arts engagement programming for populations including, but not limited to, survivors of gender-based violence and individuals working to reintegrate after incarceration. The grant recipient must be a nonprofit organization based in the city of Seattle with experience in providing arts engagement programming, including serving veteran and Latino cohorts.

(127) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit based in King county that exclusively serves foreign-trained physicians to help foreign-trained physicians prepare to work in a United States clinical setting and obtain a medical doctor: clinical experience license in Washington state. The nonprofit may use the amount provided in this subsection to:

(a) Provide stipends of up to \$2,000 per foreign-trained physician to:

(i) Take medical exams or English as a second language classes;

(ii) Obtain a professional resume review or interview skill development; or

(iii) Defray any other expenses that may limit their ability to become hire-ready physicians; and

(b) Operate an educational outreach program to help medical providers and institutions understand the medical doctor: clinical experience program including eligibility, licensure laws, and details of working with foreign-trained physicians in their facilities.

(128) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit in east King county, recognized as a by and for organization, to advance affordable housing. The grant recipient must be an organization that partners in equitable, affordable housing development. The grant recipient must use the funding as follows:

(a) To educate residents on the benefits of affordable housing in east King county;

(b) To facilitate partnerships to enable equitable transit-oriented development across the east King county region that builds housing at scale;

(c) For a project that will produce up to 33 affordable housing units on the Eastside; and

(d) To identify strategies for land acquisition and assembly

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around high-capacity transit stations that will result in a mix of housing.

(129) \$625,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Snohomish county human services to provide technical assistance and contract with a nonprofit to support youth, parents, and families with school-based collaboration, and social activities for youth.

(130) \$477,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Kitsap county to provide 70 continuous-stay, low-barrier/harm reduction model shelter beds.

(131) \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with a nonprofit in Seattle to develop a list of BIPOC families, with an emphasis on African American households, that want to live in Seattle for the purpose of assisting those families with finding and keeping housing in Seattle.

(132) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$420,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Seattle-based community center that assists eastern European refugees and immigrants to provide short term housing assistance, immigration services, and support to individuals in Washington who fled the Ukraine-Russia conflict.

(133) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to a Bellingham-based nonprofit serving youth and young adults experiencing homelessness and housing insecurity to increase capacity and the ability for staff to support clients in attending appointments, providing navigating services, and assessing resources throughout Whatcom county.

(134) \$45,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a Seattle-based nonprofit that teaches math using hands-on learning experiences and collaborates with community partners to create equity-based, culturally relevant math education opportunities.

(135) \$317,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to three resource centers that are expecting a reduction in funding from the office of crime victims advocacy. Funding is intended to cover any deficit these organizations experience to continue service levels to sexual assault survivors. Of this amount:

(a) \$200,000 is for a nonprofit sexual assault resource center in King county;

(b) \$77,000 is for a Richland-based accredited community sexual assault program; and

(c) \$40,000 is for a nonprofit organization that provides crime victim support in multiple locations across the region, including in Spokane and Vancouver.

(136) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to expand theater arts education programming and for activities to support equitable access to the arts for students. The grant recipient must be a nonprofit organization located in the city of Federal Way that operates a semiprofessional theater and provides theater arts education programming.

(137) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of crime victims advocacy for activities to address domestic violence. Of the amounts provided in this subsection:

(a) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to convene a work group to create a roadmap that provides a detailed pathway describing the steps necessary for insurance billing for domestic

violence intervention treatment in Washington state.

(i) In developing the roadmap, the work group must:

(A) Determine if a medicaid state plan amendment or 1115 waiver would be necessary to allow medicaid billing for domestic violence intervention treatment;

(B) Determine if existing billing codes would work for medicaid and commercial insurance, or if new billing codes would be necessary;

(C) Identify any healthcare certification or credentials needed for providers to be able to bill insurance for domestic violence intervention treatment;

(D) Identify the educational pathways that exist to become a domestic violence intervention treatment provider; and

(E) Identify any statutory changes or funding necessary to implement the roadmap.

(ii) The work group members must include representatives of:

(A) Organizations that provide domestic violence intervention treatment;

(B) Individual clinicians that provide domestic violence intervention treatment;

(C) Social workers;

(D) Licensed marriage and family therapists;

(E) Domestic violence survivors;

(F) The domestic violence treatment program administered by the department of social and health services;

(G) Staff from the department of health with expertise in licensing and credentialing of health professionals;

(H) Staff from the health care authority who work on insurance billing for medicaid, the public employees benefits board, and the school employees benefits board;

(I) The office of the insurance commissioner;

(J) Medicaid managed care organizations; and

(K) Commercial insurance carriers.

(iii) The office of crime victims advocacy must provide staff support for the work group.

(iv) The work group must submit a preliminary report including the roadmap to the appropriate committees of the legislature by December 31, 2024.

(b) \$1,300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with a research university to conduct a randomized control trial comparing the strength at home program to standard domestic violence intervention treatment methods used in Washington state. The research university must have completed a randomized control trial of domestic violence intervention treatment at joint base Lewis-McChord. The target population of the randomized control trial must be individuals in Washington state who have been referred to domestic violence intervention treatment via the criminal or civil legal systems. The research university must also conduct a demonstration project using the internal family systems modality as a domestic violence intervention treatment.

(138) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of homeless youth prevention and protection programs to provide grants to nonprofit organizations implementing place-based health zone models to provide and strengthen youth development services and mental and behavioral health supports for youth and their families for clearly demarcated geographical health zones. The services and supports may range from primary prevention to crisis services. Grant funding may support health zone activities and evaluation activities. The office must distribute four grants, as follows:

(a) Two grants to nonprofits with established place-based health zone models, for costs to provide services and conduct evaluation activities; and

(b) Two grants to nonprofits who are currently developing and implementing place-based health zone models, for costs to establish and provide services and conduct evaluation activities.

(139) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to assist fathers transitioning from incarceration to community and family reunification. The grant recipient must have experience contracting with the department of corrections to support incarcerated individual betterment projects and contracting with the department of social and health services to provide access and visitation services.

(140) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to evaluate alternative methods for calculating average median household income. The department must include in its evaluation the feasibility of using median household income data by state legislative district as published by the United States census bureau. The department must submit a report of recommendations to the appropriate committees of the legislature by June 30, 2025.

Sec. 128. 2023 c 475 s 130 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE—LOCAL GOVERNMENT

General Fund—State Appropriation (FY 2024)	
.....	(\$50,775,000)
	<u>\$48,331,000</u>
General Fund—State Appropriation (FY 2025)	
.....	(\$46,258,000)
	<u>\$60,537,000</u>
General Fund—Federal Appropriation	(\$39,374,000)
	<u>\$44,574,000</u>
General Fund—Private/Local Appropriation.....	\$1,050,000
Climate Commitment Account—State Appropriation	
.....	(\$43,353,000)
	<u>\$53,353,000</u>
Community Preservation and Development Authority	
Account—State Appropriation	\$4,750,000
Growth Management Planning and Environmental Review	
Fund—State Appropriation.....	\$5,681,000
Liquor Excise Tax Account—State Appropriation....	\$986,000
Liquor Revolving Account—State Appropriation..	\$6,827,000
Model Toxics Control Operating Account—State	
Appropriation.....	<u>\$1,000,000</u>
Model Toxics Control Stormwater Account—State	
Appropriation.....	\$100,000
Natural Climate Solutions Account—State	
Appropriation.....	\$2,747,000
Public Facilities Construction Loan Revolving	
Account—State Appropriation	\$1,026,000
Public Works Assistance Account—State Appropriation	
.....	\$7,267,000
TOTAL APPROPRIATION.....	(\$210,194,000)
	<u>\$238,229,000</u>

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

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

(2) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as pass-through funding to Walla Walla Community College for its water and environmental center.

(3) \$6,827,000 of the liquor revolving account—state appropriation is provided solely for the department to contract

with the municipal research and services center of Washington.

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

(5) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to produce the biennial report identifying a list of projects to address incompatible developments near military installations as provided in RCW 43.330.520.

(6) \$100,000 of the model toxics control stormwater account—state appropriation is provided solely for planning work related to stormwater runoff at the aurora bridge and I-5 ship canal bridge. Planning work may include, but is not limited to, coordination with project partners, community engagement, conducting engineering studies, and staff support.

(7) \$2,000,000 of the community preservation and development authority account—state(~~operating~~) appropriation is provided solely for (~~the operations of~~) the Pioneer Square-International district community preservation and development authority established in RCW 43.167.060 to carry out the duties and responsibilities set forth in RCW 43.167.030.

(8) \$1,160,000 of the general fund—state appropriation for fiscal year 2024 and \$1,159,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the statewide broadband office established in RCW 43.330.532.

(9) \$10,000,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department for grants for updating and implementing comprehensive plans and development regulations in order to implement the requirements of the growth management act.

(a) In allocating grant funding to local jurisdictions, awards must be based on a formula, determined by the department, to ensure that grants are distributed equitably among cities and counties. Grants will be used primarily to fund the review and update requirements for counties and cities required by RCW 36.70A.130. Funding provided on this formula basis shall cover additional county and city costs, if applicable, to implement chapter 254, Laws of 2021 (Engrossed Second Substitute House Bill No. 1220) and to implement Second Substitute Senate Bill No. 5412 (land use permitting/local).

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

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

(d) The department must develop a process for consulting with local governments, affected stakeholders, and the appropriate committees of the legislature to establish emphasis areas for competitive grant distribution and for research priorities.

(10) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the municipal research and services center, in coordination with the Washington procurement technical assistance center, to provide training and technical assistance to local governments and contractors on public works contracting. Training topics may include utilization of supplemental bidding criteria, utilization of alternate public works, contracting, cost estimating, obtaining performance and payment bonds, and increasing participation of women-owned and minority-owned businesses.

(11) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state

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appropriation for fiscal year 2025 are provided solely for the department to administer grants and provide technical assistance to cities or counties for actions relating to adopting ordinances that plan for and accommodate housing. Of this amount:

(a) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to cities and counties. Grants may be used for the following activities:

(i) Analyzing comprehensive plan policies and development regulations to determine the extent of amendments required to meet the goal of authorizing middle housing types on at least 30 percent of lots currently zoned as single family residential within the city, or for counties inside the unincorporated urban growth area. For the purposes of this subsection, "middle housing types" means buildings that are compatible in scale, form, and character with single family houses, and contain two or more attached, stacked, or clustered homes. This includes duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, courtyard apartments, and cottage housing;

(ii) Planning work to facilitate transit-oriented development, including costs associated with the preparation of state environmental policy act environmental impact statements, planned action ordinances, and subarea plans, costs associated with the use of other tools under the state environmental policy act, and the costs of local code adoption and implementation of such efforts; and

(iii) Planning for and accommodating housing that is affordable for individuals and families earning less than 50 percent of the area median income, including:

(A) Land use and regulatory solutions to address homelessness and low-income housing; and

(B) Bridging homeless service planning with land use planning.

(b) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an affordable housing auditing program to monitor ongoing affordability of income-restricted units constructed with affordable housing incentives, including the multifamily tax exemption.

(12) Within the amounts provided in this section, the department must publish on its website housing data needed to complete housing needs assessments required by RCW 36.70A.070(2)(a). The data shall include:

(a) Housing profiles for each county and city in the state, including cost burden, vacancy, and income;

(b) Data to assess racially disparate impacts, exclusion, and displacement; and

(c) A dashboard to display data in an easily accessible format.

(13) \$1,330,000 of the general fund—state appropriation for fiscal year 2024 and \$995,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1110 (middle housing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(14) \$15,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$15,000,000))~~ \$20,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grants to entities that provide digital navigator services, devices, and subscriptions. These services must include, but are not limited to, one-on-one assistance for people with limited access to services, including individuals seeking work, students seeking digital technical support, families supporting students, English language learners, medicaid clients, people experiencing poverty, and seniors. Of the amounts

provided from the general fund—state appropriation for fiscal year 2025, at least \$3,000,000 must be provided to tribes.

(15) \$2,750,000 of the community preservation and development authority account—state appropriation is provided solely for ~~((the operations of))~~ the Central district community preservation and development authority established in RCW 43.167.070 to carry out the duties and responsibilities set forth in RCW 43.167.030.

(16) ~~(((\$375,000))~~ \$187,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Battle Ground to contract for a study to explore feasible options to redesign their downtown corridor to emphasize pedestrian accessibility, improve safety, and highlight community amenities.

(17) \$175,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the city of Cheney fire department for the purchase of a new type 6 fire truck to replace one destroyed in a mutual aid fire.

(18) \$175,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to Ferry/Okanogan fire protection district number 14 for the purchase of a new ambulance and related costs for response to 911 calls, including those from local residents, recreators, and hunters.

(19) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the Pierce county public transportation benefit area corporation (Pierce transit) to administer a public transit and behavioral health coresponder pilot program in partnership with a Pierce county behavioral health professional agency.

(20) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$115,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the transportation demand management program at the canyon park subarea in the city of Bothell.

(21) ~~(((\$40,953,000))~~ (a) \$50,953,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(b) Of the amount provided in (a) of this subsection, \$10,000,000 of the climate commitment account—state appropriation is provided solely for programs, services, or capital facilities included in greenhouse gas emissions reduction subelements required by chapter 228, Laws of 2023 (E2SHB 1181). The department shall provide funding to jurisdictions for programs, services, or capital facilities included in approved subelements that the department concludes will reduce greenhouse gas emissions or per capita vehicle miles traveled until funds in this subsection are expended. The department shall prioritize funding for programs, services, or capital facilities that result in cobenefits or address disproportionately impacted communities. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection (b).

(22) \$490,000 of the public works assistance account—state appropriation is provided solely for the public works board to develop a data dashboard to map investments made by the public works board, the department of commerce, the department of health, the department of ecology, the department of transportation, the transportation improvement board, and by board partners to the system improvement team created in RCW 43.155.150.

(23) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$423,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to conduct a study on the feasibility of implementing a Washington state zoning atlas project that will provide a publicly available mapping tool illustrating key features of zoning codes across jurisdictions.

(24) \$733,000 of the general fund—state appropriation for fiscal year 2024 and \$734,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$37,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$134,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the city of Tacoma for the operating costs of the hilltop community hub. The hilltop community fund shall support a distribution center to provide housing goods.

(27) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Ferndale for the purpose of implementing and improving a wayfinding system throughout the greater Ferndale market area.

(28) ~~(\$3,464,000)~~ \$464,000 of the general fund—state appropriation for fiscal year 2024 ~~(**)~~ and \$3,510,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5290 (local permit review). Of the amount provided in this subsection, at least \$3,000,000 is provided solely for grants to local governments. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(29) \$2,400,000 of the climate commitment account—state appropriation is provided solely for the Port Gamble S'Klallam Tribe for phase 3 of the Port Gamble shoreline restoration project.

(30) \$1,000,000 of the model toxics control account—state appropriation is provided solely for grants to address emergency drinking water problems in overburdened communities. The department may utilize existing programs to distribute the funding provided under this section, including the emergency rapid response program.

(31) \$198,000 of the general fund—state appropriation for fiscal year 2024 and \$198,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to retain a behavioral health facilities siting administrator within the department to coordinate development of effective behavioral health housing options and provide technical assistance in siting of behavioral health treatment facilities statewide to aide in the governor's plan to discharge individuals from the state psychiatric hospitals into community settings. This position must work closely with local government legislative authorities, planning departments, behavioral health providers, the health care authority, the department of social and health services, and other entities to facilitate linkages among disparate behavioral health community bed capacity-building efforts. This position must work to integrate building behavioral health treatment and infrastructure capacity in addition to ongoing supportive housing benefits.

(32) \$225,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to the Chelan-Douglas regional port authority to fund public engagement efforts

in Chelan and Douglas counties related to a future regional sports complex. Engagement efforts may include print and electronically mailed materials, media advertisements, social media, and other forms of communications related to study information, including but not limited to:

- (a) Consultants' analyses;
- (b) Steering committee recommendations;
- (c) Design and location options;
- (d) Artistic renderings;
- (e) Economic impacts;
- (f) Capital and operational costs;
- (g) Financing options; and
- (h) Other information.

(33) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a consultant to study incorporating the unincorporated communities of Dash Point and Browns Point into a single city. The study must include, but not be limited to, the impact of incorporation on the local tax base, crime, homelessness, infrastructure, public services, and behavioral health services, in the listed communities. The department must submit the results of the study to the office of financial management and the appropriate committees of the legislature by June 1, 2025.

(34) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to convene a task force to make recommendations on integrating water, sewer, school, and port districts into the growth management act planning process. The task force shall build upon the findings, concepts, and recommendations in recent reports, including the "collaborative roadmap phase III" report prepared for the department in 2023 and the "roadmap to Washington's future" issued by the William D. Ruckelshaus center in 2019. The task force must involve diverse perspectives including but not limited to representatives of state agencies, cities, counties, special districts, tribal governments, builders, and planning and environmental organizations that have experience with local or special purpose district planning processes. The department must provide a preliminary report on the task force's activities and progress by June 30, 2025. It is the intent of the legislature to continue funding the study in the 2025-2027 fiscal biennium, with a final report with recommendations due December 1, 2025.

(35) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Whatcom county to study the potential of creating an interjurisdictional coordinating body focused on improving the housing market for tenants, landlords, and those interested in becoming landlords. The study should examine the potential for an office of healthy housing to:

- (a) Have a sustainable funding model and assist landlords and tenants in understanding leases and procedures;
- (b) Increase housing supply by providing resources to small landlords; and
- (c) Work with major local employers and local higher education institutions to ensure a thriving local housing market.

(36) \$600,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide technical assistance to local governments in planning for and siting supportive housing and emergency housing facilities; and provide dispute resolution services to help resolve disputes between local governments and service providers attempting to site supportive housing and emergency housing facilities. The department shall submit a report, pursuant to RCW 43.01.036, to the appropriate committees of the legislature by March 1, 2025, on which local governments received funding and resolution status for disputes resolved.

(37) \$213,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of

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Engrossed Substitute House Bill No. 2321 (middle housing requirements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(38) \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit, professional association of state, county, city, and town officials engaged in development, enforcement, and administration of building construction codes and ordinances to collaborate with the Washington state board for community and technical colleges to design and implement training programs to accelerate the hiring of city and county permit technicians.

(39) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the city of Elma to place automatic external defibrillators in city vehicles and public spaces in city buildings.

(40) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Okanogan county sheriff's office for the Okanogan county public safety radio network improvement project.

(41) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$46,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5834 (urban growth areas). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(42) \$57,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6015 (residential parking). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(43) \$67,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5955 (large port districts). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 129. 2023 c 475 s 131 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE—OFFICE OF ECONOMIC DEVELOPMENT

General Fund—State Appropriation (FY 2024)	((\$25,089,000))
	<u>\$25,389,000</u>
General Fund—State Appropriation (FY 2025)	((\$24,967,000))
	<u>\$34,502,000</u>
General Fund—Federal Appropriation	\$108,069,000
General Fund—Private/Local Appropriation	\$1,230,000
Dedicated Cannabis Account—State Appropriation (FY 2024)	\$3,446,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	((\$3,587,000))
	<u>\$3,591,000</u>
Andy Hill Cancer Research Endowment Fund Match Transfer Account—State Appropriation	((\$20,684,000))
	<u>\$31,684,000</u>
Climate Commitment Account—State Appropriation	((\$352,000))
	<u>\$4,477,000</u>
Community and Economic Development Fee Account—State Appropriation	\$765,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation	((\$20,400,000))
	<u>\$23,400,000</u>
Economic Development Strategic Reserve Account—State Appropriation	\$2,786,000

Statewide Tourism Marketing Account—State	
Appropriation	\$9,000,000
TOTAL APPROPRIATION	((\$222,375,000))
	<u>\$248,339,000</u>

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

(1) \$4,304,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$4,304,000~~)) \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for associate development organizations. During the 2023-2025 fiscal biennium, the department shall consider an associate development organization's total resources when making contracting and fund allocation decisions, in addition to the schedule provided in RCW 43.330.086. The department must distribute the funding as follows:

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

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

(2) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the northwest agriculture business center.

(3) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the regulatory roadmap program for the construction industry and to identify and coordinate with businesses in key industry sectors to develop additional regulatory roadmap tools.

(4) \$1,070,000 of the general fund—state appropriation for fiscal year 2024 and \$1,070,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the small business export assistance program. The department must ensure that at least one employee is located outside the city of Seattle for purposes of assisting rural businesses with export strategies.

(5) \$60,000 of the general fund—state appropriation for fiscal year 2024 and \$60,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to submit the necessary Washington state membership dues for the Pacific Northwest economic region.

(6) \$1,808,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$1,808,000~~)) \$2,438,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to identify and invest in strategic growth areas, support key sectors, and align existing economic development programs and priorities. The department must consider Washington's position as the most trade-dependent state when identifying priority investments. The department must engage states and provinces in the northwest as well as associate development organizations, small business development centers, chambers of commerce, ports, and other partners to leverage the funds provided. Sector leads established by the department must include the industries of: (a) Aerospace; (b) clean technology and renewable and nonrenewable energy; (c) wood products and other natural resource industries; (d) information and communication technology; (e) life sciences and global health; (f) maritime; (g) military and defense; and (h) creative industries. The department may establish these sector leads by hiring new staff, expanding the duties of current staff, or working with partner organizations and or other agencies to serve in the role of sector lead.

(7) ((~~\$20,684,000~~)) \$31,684,000 of the Andy Hill cancer

research endowment fund match transfer account—state appropriation is provided solely for the Andy Hill cancer research endowment program. Amounts provided in this subsection may be used for grants and administration costs.

(8) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to establish representation in key international markets that will provide the greatest opportunities for increased trade and investment for small businesses in the state of Washington. Prior to entering into any contract for representation, the department must consult with associate development organizations and other organizations and associations that represent small business, rural industries, and disadvantaged business enterprises.

(9) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to assist people with limited incomes in urban areas of the state start and sustain small businesses. The grant recipient must be a nonprofit organization involving a network of microenterprise organizations and professionals to support micro entrepreneurship and access to economic development resources.

(10) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonprofit organization whose sole purpose is to provide grants, capacity building, and technical assistance support to a network of microenterprise development organizations. The microenterprise development organizations will support rural and urban Black, indigenous and people of color owned businesses, veteran owned businesses, and limited resourced and other hard to serve businesses with five or fewer employees throughout the state with business training, technical assistance, and microloans.

(11) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a business center that provides confidential, no-cost, one-on-one, client-centered assistance to small businesses to expand outreach in underserved communities, especially Black, indigenous, and people of color-owned businesses, providing targeted assistance where needed. Funding may also be used to collaborate the department, the Washington economic development association, and others to develop a more effective and efficient service delivery system for Washington's women and minority-owned small businesses.

(12) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to strengthen capacity of the keep Washington working act work group established in RCW 43.330.510.

(13) \$7,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to continue to administer the small business innovation and competitiveness fund program created in section 128(167), chapter 297, Laws of 2022 (ESSB 5693). The department may prioritize projects that received conditional awards in the 2021-2023 fiscal biennium but were not funded due to the project's inability to be substantially completed by June 30, 2023.

(14) \$2,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to administer grants to businesses and nonprofits in the arts, heritage, and science sectors, including those that operate live entertainment venues, to provide bridge funding for continued recovery from the COVID-19 pandemic and related economic impacts. The department must develop criteria for successful grant applications in coordination with the Washington state arts

commission.

(15) \$352,000 of the climate commitment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1176 (climate-ready communities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(16) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an associate development organization located in Thurston county to provide a training curriculum to assist small businesses in scaling up to reach their next tier of operations. The contract recipient may use the funding for costs including, but not limited to, curriculum materials, trainers, and follow up coaching and mentorship in multiple languages.

(17) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract for technical assistance programs focused on assisting small minority, women, and veteran-owned businesses in south King and Pierce counties. The contract recipient must be a nonprofit organization located in Tukwila that provides educational and business assistance for underserved and minority groups, with a focus on the African American community. The department must provide a preliminary report on program outcomes by June 30, 2024, and a final report by June 30, 2025, to the relevant committees of the legislature. The preliminary and final reports must include outcome data including, but not limited to, the number of events or workshops provided, the number of businesses served, and ownership and other demographics of businesses served.

(18) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with a nonprofit organization to conduct workforce and economic development activities serving the south Puget Sound region. The contract recipient must be a nongovernmental nonprofit organization located in Federal Way that has been in operation for at least 10 years and whose mission is to develop resources to enhance the economy of the south sound region by facilitating innovation, job creation, and the growth and development of businesses.

(19) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide grant funding to a nonprofit biotech incubator and science research center located in the city of Tacoma. The grant funding is to provide support for programs aimed at increasing workforce readiness and entrepreneurship in the life sciences, with a focus on promoting access to science, technology, engineering, and math careers for individuals from underserved communities.

(20) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to associate development organizations pursuant to Substitute House Bill No. 1783 (grant writers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(21) \$9,000,000 of the statewide tourism marketing account—state appropriation is provided solely for the statewide tourism marketing program and operation of the statewide tourism marketing authority pursuant to chapter 43.384 RCW.

(22) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to renew licenses for cloud-based business

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engagement tools for state agencies and local workforce and economic development boards, and to procure additional licenses for state agency procurement professionals, to assist in complying with the department of enterprise services supplier diversity policy effective April 1, 2023.

(23) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for activities related to securing federal funding from programs created by or funded through federal legislation including, but not limited to, the inflation reduction act, P.L. 117-169; the chips and science act, P.L. 117-167; and the infrastructure investment and jobs act, P.L. 117-58. Funding provided under this subsection may be used to support regional and locally led initiatives seeking federal funding, to provide technical support for application development and grant writing, to conduct economic analysis of various sectors, and other activities the department deems necessary for the state and partners with the state to compete for federal funds.

(24) \$877,000 of the general fund—state appropriation for fiscal year 2024 and \$878,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5096 (employee ownership). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$409,000 of the general fund—state appropriation for fiscal year 2024 and \$411,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5269 (manufacturing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(26) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in consultation with other agencies as necessary, to support activities related to cooperation with governmental and public agencies of the Republic of Finland, the Kingdom of Sweden, and the Kingdom of Norway. Eligible activities include, but are not limited to, cooperation in clean energy, clean technology, clean transportation, telecommunications, agriculture and wood science technology, general economic development, and other areas of mutual interest with Nordic nations and institutions.

(27) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Bellingham based nonprofit that assists entrepreneurs to create, build, and grow businesses in northwest Washington to help establish a network of innovation centers for entrepreneurs and innovative small businesses between Seattle and the Canadian border.

(28)(a) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to develop strategies for cooperation with governmental agencies of Vietnam, including higher education institutions, and organizations around the following:

(i) Trade and investment, including, but not limited to, the agriculture, information technology, food processing, manufacturing, and textile industries;

(ii) Combating climate change, including, but not limited to, cooperation on clean energy, clean transportation, and climate-smart agriculture; and

(iii) Academic and cultural exchange.

(b) By June 30, 2024, the department must provide a report on the use of funds in this subsection, any key metrics and

deliverables, and any recommendations for further opportunities for collaboration.

(29) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide an economic development grant to a nongovernmental organization established in Federal Way, in operation for at least 30 years, whose primary focus is the economic development of the greater Federal Way region, in order to provide assessment for the development of innovation campuses in identified economic corridors.

(30) \$200,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a grant to a Tacoma based automotive museum as businesses assistance to address COVID-19 pandemic impacts to revenues from decreased attendance and loss of other revenue generating opportunities.

(31) \$250,000 of the climate commitment account—state appropriation is provided solely for a study or studies to assess strategies necessary for the state of Washington to engage in the offshore wind supply chain. The study may address public infrastructure needed for manufacturing, assembly, and transport of supply chain components, and an assessment of workforce needs and community benefits. The department must submit a preliminary report summarizing the status of the study or studies to the governor and the appropriate committees of the legislature by June 30, 2025, and a final report summarizing the findings of the study or studies by November 30, 2025. It is the intent of the legislature to provide funding to complete the final report in the 2025-2027 fiscal biennium. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved, this subsection is null and void upon the effective date of the measure.

(32) \$2,110,000 of the climate commitment account—state appropriation is provided solely to expand the industrial symbiosis program. At least 20 percent of the amount provided in this section must be prioritized to benefit individuals in overburdened communities. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved, this subsection is null and void upon the effective date of the measure.

(33) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization for a small business incubator program focused on the arts and culture sectors that provides technical assistance and business training to creative entrepreneurs, with a focus on BIPOC-owned and women-owned businesses. The grant recipient must be a nonprofit arts organization based in the city of Tacoma that hosts live performances and provides youth and adult arts education programming.

(34) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to administer a workforce development program serving youth and young adults from underserved communities to learn technical, creative, and business skills related to concert and event promotion. The grant recipient must be a nonprofit organization headquartered in the city of Seattle that provides youth arts and education programming and produces a music festival based in Seattle that takes place over Labor Day weekend.

(35) \$375,000 of the climate commitment account—state appropriation is provided solely for the department to contract with a nonregulatory coalition to identify economic, community, and workforce development opportunities resulting from Washington state's participation in the offshore wind supply chain through conducting convenings, workshops, and studies as appropriate. Funds provided in this subsection may not be

expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved, this subsection is null and void upon the effective date of the measure.

(36) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization to provide a workforce development and small business training program serving primarily low-income Latinx immigrant families in south King county. The grant recipient must be a nonprofit organization based in the city of Seattle that advances the power and well-being of Latino immigrants through employment, education, and community organizing.

(37) \$390,000 of the climate commitment account—state appropriation is provided solely for the department to establish a circular economy market development program. At least 20 percent of the amount provided in this subsection must be prioritized to benefit individuals in overburdened communities. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved, this subsection is null and void upon the effective date of the measure.

(38) \$1,000,000 of the climate commitment account—state appropriation is provided solely for the innovation cluster accelerator program. Funding provided in this subsection may only be used to develop and maintain clusters that aim to reduce and mitigate impacts from greenhouse gases in overburdened communities, deploy renewable energy resources, increase energy efficiency or reduction, or other permissible uses pursuant to RCW 70A.65.260. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved, this subsection is null and void upon the effective date of the measure.

(39) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to an associate development organization to provide technical assistance, workforce development training, and business innovation training to small businesses in Benton and Franklin counties, with a focus on businesses in BIPOC communities. Technical assistance may also include financial literacy, grant writing, and federal grant assistance for tribes and overburdened communities. The grant recipient must be an associate development organization comprised of a coalition of more than 25 but less than 100 small businesses, nonprofit, and business leaders located in Benton and Franklin counties, and must be a recognized "by and for" organization serving the BIPOC community.

(40)(a) \$275,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to convene an electrical transmission workforce needs work group and study. The work group must provide advice, develop strategies, and make recommendations to the legislature, state and local agencies, and utilities on efforts to support the needs of Washington's electrical transmission industry workforce. The work group must consist of eight members:

(i) One representative each from a labor organization located in Tacoma, Clark county, and Spokane county that represents line workers;

(ii) One representative from a statewide labor organization with at least 250,000 affiliated members that represents line workers and workers from outside the electrical transmission and construction industry; and

(iii) Two representatives from two different investor-owned utilities and two representatives from two different consumer-owned utilities each.

(b)(i) The department must conduct a study of the employment and workforce education needs of the electrical transmission industry of the state. The work group must assist the department in developing the scope of the study; review the preliminary and

final reports of the study; and, if appropriate, recommend any legislative changes needed to address issues raised as a result of the study. The study must focus on the following job classifications in the electrical transmission industry: Line workers, line clearance tree trimmers, and substation technicians. The department may contract with a third party to complete the study.

(ii) By December 1, 2024, the department must submit a preliminary report of the study to the appropriate committees of the legislature, including the methodology that will be used to conduct the study and any demographic data or other information gathered regarding the electrical transmission industry workforce in preparation for the study.

(iii) By November 1, 2025, the department must submit a final report of the study to the appropriate committees of the legislature. It is the intent of the legislature to provide funding to complete the final report in the 2025-2027 fiscal biennium.

(iv) The final report must at a minimum include:

(A) Estimates of electrical transmission industry jobs needed to expand electrical transmission capacity to meet the state's clean energy and climate goals, inclusive of the workforce needed to maintain existing infrastructure. These estimates should cover, at a minimum, the time periods required for the planning, including the construction, reconstruction, or enlargement, of new or existing electrical transmission facilities under RCW 19.28.010, 80.50.060, and 80.50.045, and the state environmental policy act;

(B) The number of apprenticeships in the job classifications listed in (b)(i) of this subsection;

(C) An inventory of existing apprentice programs and anticipated need for expansion of existing apprenticeships or supplemental training programs to meet current and future workforce needs;

(D) Demographic data of the workforce, including age, gender, race, ethnicity, and, where possible, other categories of identity;

(E) Identification of gaps and barriers to a full electrical transmission workforce pool, including, but not limited to, the loss of workers to retirement in the next five, 10, and 15 years, and other current and anticipated retention issues;

(F) A comparison of wages between different jurisdictions in Washington state, and between Washington and other neighboring states, including any incentives offered by other states;

(G) Data on the number of workers in the job classifications identified in (b)(i) of this subsection who completed training in Washington and left to work in a different state;

(H) Data on the number of out-of-state workers who enter Washington to meet workforce needs on large scale electrical transmission projects in Washington;

(I) Key challenges that could emerge in the foreseeable future based on factors such as growth in demand for electricity and changes in energy production and availability; and

(J) Recommendations for the training, recruitment, and retention of the current and anticipated electrical transmission workforce that supplement, enhance, or exceed current training requirements. This must include identification of barriers to entrance into the electrical transmission workforce, and recommendations to attract and retain a more diverse workforce, such as members of federally recognized Indian tribes and individuals from overburdened communities as defined in RCW 70A.02.010.

(41) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1870 (local comm. federal funding). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(42) \$250,000 of the general fund—state appropriation for

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fiscal year 2025 is provided solely for the innovation cluster accelerator program to support an industry-led fusion energy cluster. By June 30, 2025, the fusion energy cluster must submit a report to the appropriate committees of the legislature that includes recommendations for promoting the development of fusion energy and the manufacturing and assembling of component parts for fusion energy in Washington state. The report must:

(a) Include an evaluation of the applicability of new and existing clean energy incentives for manufacturing, facility construction, and the purchase of materials and equipment; and

(b) Identify opportunities for state funding, including matching federal grants.

(43) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract for technical assistance services for small businesses owned or operated by members of historically disadvantaged populations located in western Washington. The contract recipient must be a business in the arts, entertainment, and media services sector based in the city of Federal Way and with experience working with BIPOC communities. Technical assistance includes but is not limited to services such as: Business and intellectual property development; franchise development and expansion; digital and social media marketing and brand development; community outreach; opportunities to meet potential strategic partners or corporate sponsors; executive workshops; networking events; small business coaching; and start-up assistance.

(44) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit organization for a program to assist low-income individuals from Washington state in entering the maritime industry as mariners, including training, credentialing, and wrap-around services. The grant recipient must be a nonprofit organization located in the city of Seattle that serves as a workforce development intermediary creating equitable workforce systems and developing impactful partnerships to address structural racism. The nonprofit organization must consult with two unions based in the city of Seattle who represent mariners on the West coast in developing the program.

(45) \$1,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for the department to administer a business assistance program to provide grants to statewide or local destination marketing organizations in Washington state for activities to promote tourism to Washington in advance of the 2026 FIFA World Cup. The department must enter into contracts with grant recipients by December 31, 2024. To qualify for a grant under this subsection, a destination marketing organization must have been negatively impacted by the COVID-19 public health emergency and:

(a) Have revenues at the time of applying for the grant that are less than their revenues in calendar year 2019;

(b) Have used reserve operating funds after March 3, 2021, to make up for revenue shortfalls; or

(c) Have demonstrated needs for funding to support programs designed to increase tourism to Washington state from across the country and the world in advance of the 2026 FIFA World Cup.

(46) \$184,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nongovernmental organization whose primary focus is community and economic development in downtown Renton to provide holistic navigation and education services.

(47) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state manufacturing council to convene a subgroup of at least two of its members, with at least four members representing advanced

manufacturing who have expertise in diversity, equity and inclusion. Annually, the work group must provide recommendations to the manufacturing council to vastly improve the representation of black, indigenous, and people of color, as well as women, in manufacturing ownership and within the workforce across all levels of manufacturing.

(48) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state public stadium authority to modernize interior stadium infrastructure. Funding is provided to improve operational infrastructure such that stadium can accommodate and attract mega events benefiting the state. Improvements will include, but are not limited to, installing new seating, improving ADA access, upgrading hospitality features, and making security enhancements.

(49)(a) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide grants to eligible sports commissions to support activities promoting sports tourism, sporting events, and tournaments, and fostering economic and community development.

(b) An "eligible sports commission" under this subsection means an entity whose primary purpose is to promote tourism through hosting sporting events in Washington state. Entities may be independent nonprofit organizations or a division of a regional or national convention or visitors bureau.

(c) The department must develop application criteria and eligible uses of funds for the grant program.

(d) In determining the distribution of grant awards under this subsection, the department may allocate funds in proportion to the population of the county or counties in which the eligible sports commission conducts its activities.

(e) The department must develop reporting requirements for grant recipients, including but not limited to how grant funds are used. All grant recipients must report back to the department by June 30, 2025.

(50) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the city of Seattle to lease space for nonprofit and academic institutions to incubate technology business startups, especially those focusing on artificial intelligence and develop and teach curricula to skill up workers to use artificial intelligence as a business resource.

Sec. 130. 2023 c 475 s 132 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE—ENERGY AND INNOVATION

General Fund—State	Appropriation (FY 2024)	
.....	.....	(((\$140,959,000))
		\$8,641,000
General Fund—State	Appropriation (FY 2025)	
.....	.....	(((\$141,187,000))
		\$12,287,000
General Fund—Federal Appropriation.....		(((\$39,461,000))
		\$325,724,000
General Fund—Private/Local Appropriation		\$34,000
Building Code Council Account—State	Appropriation	
.....	.....	\$13,000
Climate Commitment Account—State	Appropriation	
.....	.....	(((\$52,611,000))
		\$230,557,000
Community and Economic Development Fee Account—State	Appropriation	\$160,000
Electric Vehicle Incentive Account—State	Appropriation	\$50,000,000
Low-Income Weatherization and Structural		

Rehabilitation Assistance Account—State	
Appropriation.....	\$1,399,000
Natural Climate Solutions Account—State	
Appropriation.....	(\$167,000)
	<u>\$1,167,000</u>
TOTAL APPROPRIATION.....	(\$425,991,000)
	<u>\$629,982,000</u>

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

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

(2)(a) \$50,000,000 of the electric vehicle incentive account—state appropriation is provided solely for the department to implement programs and incentives that promote the purchase of or conversion to alternative fuel vehicles. The department must work with the interagency electric vehicle coordinating council to develop and implement alternative fuel vehicle programs and incentives.

(b) In developing and implementing programs and incentives under this subsection, the department must prioritize programs and incentives that:

(i) Will serve individuals living in an overburdened community, as defined in RCW 70A.02.010;

(ii) Will serve individuals who are in greatest need of this assistance in order to reduce the carbon emissions and other environmental impacts of their current mode of transportation in the overburdened community in which they live; and

(iii) Will serve low-income communities, communities with the greatest health disparities, and communities of color that are most likely to receive the greatest health benefits from the programs through a reduction in greenhouse gas emissions and other pollutants that will result in improved groundwater and stormwater quality, improved air quality, and reductions in noise pollution.

~~(3) (\$69,000,000 of the general fund—state appropriation for fiscal year 2024 and \$69,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development of community electric vehicle charging infrastructure.~~

~~(a) Funding provided in this section must be used for projects that provide a benefit to the public through development, demonstration, and deployment of clean energy technologies that save energy and reduce energy costs, reduce harmful air emissions, or increase energy independence for the state.~~

~~(b) Projects that receive funding under this section must be implemented by, or include partners from, one or more of the following: Local governments, federally recognized tribal governments, or public and private electrical utilities that serve retail customers in the state.~~

~~(c) Grant funding must be used for level 2 or higher charging infrastructure and related costs including but not limited to construction and site improvements. Projects may include a robust public and private outreach plan that includes engaging with affected parties in conjunction with the new electric vehicle infrastructure.~~

~~(d) The department must prioritize funding for projects in the following order:~~

- ~~(i) Multifamily housing;~~
- ~~(ii) Publicly available charging at any location;~~
- ~~(iii) Schools and school districts;~~
- ~~(iv) State and local government buildings and office buildings;~~
- ~~(v) All other eligible projects.~~
- ~~(e) The department must coordinate with other electrification~~

~~programs, including projects developed by the department of transportation, to determine the most effective distribution of the systems. The department must also collaborate with the interagency electric vehicle coordinating council established in RCW 43.392.030 to implement this subsection and must work to meet benchmarks established in chapter 182, Laws of 2022.~~

~~(4) \$37,000,000 of the general fund—state appropriation for fiscal year 2024 and \$37,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to increase solar deployment and installation of battery storage in community buildings to enhance grid resiliency and provide backup power for critical needs, such as plug load and refrigeration for medication, during outages or to provide incentives to support electric utility demand response programs that include customer sited solar and battery storage systems. Eligible uses of the amounts provided in this subsection include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities. For the purposes of this subsection "community buildings" means K-12 schools, community colleges, community centers, recreation centers, libraries, tribal buildings, state and local government buildings, and other publicly owned infrastructure.~~

~~(5) \$19,500,000 of the general fund—state appropriation for fiscal year 2024 and \$19,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant program to provide solar and battery storage community solar projects for public assistance organizations serving low income communities. Eligible uses of the amounts provided in this subsection include, but are not limited to, planning and predevelopment work with vulnerable, highly impacted, and rural communities.~~

~~(a) Grants are not to exceed 100 percent of the cost of the project, taking into account any federal tax credits or other federal or nonfederal grants or incentives that the project is benefiting from.~~

~~(b) Priority must be given to projects sited on "preferred sites" such as rooftops, structures, existing impervious surfaces, landfills, brownfields, previously developed sites, irrigation canals and ponds, storm water collection ponds, industrial areas, dual use solar projects that ensure ongoing agricultural operations, and other sites that do not displace critical habitat or productive farmland.~~

~~(c) For the purposes of this subsection "low income" has the same meaning as provided in RCW 19.405.020 and "community solar project" means a solar energy system that: Has a direct current nameplate capacity that is greater than 12 kilowatts but no greater than 1,000 kilowatts; and has, at minimum, either two subscribers or one low income service provider subscriber.~~

~~(6) (\$8,500,000) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$8,500,000)~~ \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to build a mapping and forecasting tool that provides locations and information on charging and refueling infrastructure as required in chapter 300, Laws of 2021 (zero emissions transp.). The department shall collaborate with the interagency electric vehicle coordinating council established in chapter 182, Laws of 2022 (transportation resources) when developing the tool and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).~~

~~((7)) (4) \$10,000,000 of the climate commitment account—state appropriation is provided solely for grants to support port districts, counties, cities, towns, special purpose districts, any other municipal corporations or quasi-municipal corporations, and tribes to support siting and permitting of clean energy projects in the state. Eligible uses of grant funding provided in this section~~

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include supporting predevelopment work for sites intended for clean energy projects, land use studies, conducting or engaging in planning efforts such as planned actions and programmatic environmental impact statements, and staff to improve permit timeliness and certainty.

~~((8))~~ (5)(a) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with one or more of the western national laboratories, or a similar independent research organization, in consultation with state and federal energy agencies, stakeholders, and relevant utilities, to conduct an analysis for new electricity generation, transmission, ancillary services, efficiency and storage sufficient to offset those presently provided by the lower Snake river dams. The analysis should include a list of requirements for a replacement portfolio that diversifies and improves the resilience and maintains the reliability and adequacy of the electric power system, is consistent with the state's statutory and regulatory requirements for clean electricity generation, and is supplementary to the resources that will be required to replace fossil fuels in the electrical generation, transportation, industry, and buildings sectors. The department and its contractor's assessment will include quantitative analysis based on available data as well as qualitative input gathered from tribal and other governments, the Northwest power and conservation council, relevant utilities, and other key stakeholders. The analysis must include the following:

(i) Expected trends for demand, and distinct scenarios that examine potential outcomes for electricity demand, generation, and storage technologies development, land use and land use constraints, and cost through 2050, as well as the most recent analysis of future resource adequacy and reliability;

(ii) A resource portfolio approach in which a combination of commercially available generating resources, energy efficiency, conservation, and demand response programs, transmission resources, and other programs and resources that would be necessary prerequisites to replace the power and grid reliability services otherwise provided by the lower Snake river dams and the time frame needed to put those resources into operation;

(iii) Identification of generation and transmission siting options consistent with the overall replacement resource portfolio, in coordination with other state processes and requirements supporting the planning of clean energy and transmission siting;

(iv) An evaluation of alternatives for the development, ownership and operation of the replacement resource portfolio;

(v) Examination of possible impacts and opportunities that might result from the renewal of the Columbia river treaty, revisions of the Bonneville power administration preference contracts, implementation of the western resource adequacy program (WRAP), and other changes in operation and governance of the regional electric power system, consistent with statutory and regulatory requirements of the clean energy transformation act;

(vi) Identification of revenue and payment structures sufficient to maintain reliable and affordable electricity supplies for ratepayers, with emphasis on overburdened communities;

(vii) Development of distinct scenarios that examine different potential cost and timeline potentials for development and implementation of identified generation and transmission needs and options including planning, permitting, design, and construction, including relevant federal authorities, consistent with the statutory and regulatory requirements of the clean energy transformation act;

(viii) Quantification of impacts to greenhouse gas emissions including life-cycle emissions analysis associated with

implementation of identified generation and transmission needs and options including (A) planning, permitting, design, and construction, and, if relevant, emissions associated with the acquisition of non-Washington state domestic or foreign sources of electricity, and (B) any additional operations of existing fossil-fueled generating resources; and

(ix) An inventory of electricity demand by state-owned or operated facilities and information needed to complete a request for proposals (RFP) to satisfy this demand through new nonhydro renewable energy generation and/or conservation.

(b) The department shall, to the extent determined practicable, consider related analyses undertaken by the federal government as part of the Columbia river system operation stay of litigation agreed to in *National Wildlife Federation et al. v. National Marine Fisheries Service et al.* in October 2021.

(c) The department shall provide a status update to the energy and environment committees of the legislature and governor's office by December 31, 2024.

~~((9))~~ (6) \$10,664,000 of the climate commitment account—state appropriation is provided solely for the department to administer a pilot program to provide grants and technical assistance to support planning, predevelopment, and installation of commercial, dual-use solar power demonstration projects. Eligible grant recipients may include, but are not limited to, nonprofit organizations, public entities, and federally recognized tribes.

~~((10))~~ (7) \$20,592,000 of the climate commitment account—state appropriation is provided solely for the department to administer a grant program to assist owners of public buildings in covering the costs of conducting an investment grade energy audit for those buildings. Public buildings include those owned by state and local governments, tribes, and school districts.

~~((11))~~ (8)(a) \$300,000 of the climate commitment account—state appropriation is provided solely for the department to develop recommendations on a design for a statewide energy assistance program to address the energy burden and provide access to energy assistance for low-income households. The department may contract with a third-party entity to complete the work required in this subsection.

(b) The recommendations must include considerations for data collection on the energy burden and assistance need of households, universal intake coordination and data sharing across statewide programs serving low-income households, program eligibility, enrollment, multilingual services, outreach and community engagement, program administration, funding, and reporting.

(c) By January 1, 2024, the department must submit a report with the recommendations to the appropriate committees of the legislature.

~~((12))~~ (9) \$250,000 of the climate commitment account—state appropriation is provided solely for a grant to a nonprofit for a smart buildings education program to educate building owners and operators about smart building practices and technologies, including the development of onsite and digital trainings that detail how to operate residential and commercial facilities in an energy efficient manner. The grant recipient must be located in a city with a population of more than 700,000 and must serve anyone within Washington with an interest in better understanding energy efficiency in commercial and institutional buildings.

~~((13))~~ (10) \$111,000 of the general fund—state appropriation for fiscal year 2024 and \$109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30,~~

~~2023, the amounts provided in this subsection shall lapse.~~

~~((14)) (11) \$3,152,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((15)) (12) \$167,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((16)) (13) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to convene stakeholders and plan for a statewide energy rebate navigator aimed at assisting residential and small commercial buildings, with priority for buildings owned or occupied by low-income, Black, indigenous, and people of color and converting overburdened communities to clean energy. Of this amount:~~

~~(a) \$50,000 of the climate commitment account—state appropriation is for the department to convene a summit of stakeholders around building energy topics related to the development of a statewide energy rebate navigator, including initial and ongoing guidance regarding program design and implementation. The summit should develop recommendations for the program to improve and grow, addressing gaps in program design and implementation, outreach into overburdened communities, HEAL Act compliance, workforce development issues, and contractor needs.~~

~~(b) \$200,000 of the climate commitment account—state appropriation is for statewide rebate navigator evaluation and project planning, which shall include:~~

~~(i) Evaluation of how technical assistance can focus on serving Black, indigenous, and people of color, and low-income communities;~~

~~(ii) Research of existing data and software solutions the state can leverage to provide a one-stop-shop for energy improvements;~~

~~(iii) Evaluation of program delivery models to optimize energy service delivery, including realizing economies of scale and reaching high rates of penetration in overburdened communities, indigenous communities, and communities of color;~~

~~(iv) Evaluation and cultivation of potential program implementers who are qualified to deliver navigator program services, including community energy efficiency program grantees; and~~

~~(v) Evaluation and cultivation of qualified potential energy services providers, including providers owned by Black, indigenous, and people of color, utility trade ally programs, and weatherization plus health weatherization agencies.~~

~~((17)) (14) \$33,000 of the general fund—state appropriation for fiscal year 2024 and \$17,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1329 (utility shutoffs/heat). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((18)) (15) \$93,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((19)) (16)(a) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a third-party entity to conduct a study that analyzes how the economic impact of oil refining in~~

Washington state is likely to impact Washington's refineries, refinery workers, and refinery communities. By December 31, 2024, the report must be distributed to the energy and environment committees of the state legislature.

(b) The study required in (a) of this subsection must include:

(i) An overview of Washington's five oil refineries including: Location, age, workforce demographics, direct and indirect jobs connected with the industry, health and environmental impacts, local tax revenues paid by refineries, and primary and secondary products and markets;

(ii) A summary of projected scenarios for Washington refineries' primary markets, taking into account realistic, real world outcomes, given existing mandated decarbonization targets, feedstock availability, and statutes that impact Washington refinery products;

(iii) A summary of anticipated short-term, medium-term, and long-term economic viability of the five Washington oil refineries based on refinery product demand forecasts as outlined in (b)(ii) of this subsection;

(iv) A forecast of direct and indirect effects of the projected petroleum decline, including indirect employment impacts, the geography of those impacts, and impacts to local jurisdictions, utilities, ports, and special purpose districts from reduction in tax revenues, and impacts to local nonprofits and community programs from the refining industry;

(v) An assessment of potential future uses of refinery sites that include energy industrial, nonenergy industrial, heavy manufacturing, and industrial symbiosis, including an assessment of previously closed refinery sites throughout the United States and current use of those sites. Each potential future use shall be assessed and include data regarding: Greenhouse gas emissions, local pollution and environmental health, direct and indirect employment benefits, estimated tax impacts, potential costs to Washington residents, and feasibility based on relevant market trends; and an assessment of previously closed refinery sites throughout the United States and current use of those sites;

(vi) The competitive position of Washington refineries to produce alternative fuels consistent with Washington's emissions reductions defined in RCW 70A.45.020, the anticipated regional, national, and global demand for these fuels between 2023 and 2050; and the likely employment, tax, environmental, cultural, and treaty impacts of refinery conversion to these alternative fuels;

(vii) An identification of refinery workers' skillsets, potential alternative sectors and industries of employment, an assessment and comparison of total compensation and benefit packages including retirement and health care programs of current and alternative jobs, impacts to apprenticeship utilization, and the current and expected availability of those jobs in Pierce, Skagit, and Whatcom counties;

(viii) A land and water remediation analysis; including cost estimates, current terrestrial and aquatic pollution mapping, an overview of existing policies and regulations that determine accountability for cleanup and identifies gaps that may leave local and state taxpayers financially liable, and an assessment of the workforce and skills required for potential cleanup;

(ix) A summary of existing petroleum refining capacity and trends in Washington, the United States, and internationally; and

(x) An assessment of decline or loss of tax revenues supporting state environmental programs including the model toxics control act, the pollution liability insurance agency, and other programs, as well as the decline or loss of transportation gas tax revenues.

(c) The department may require data and analysis from refinery owners and operators to inform the study. Pursuant to RCW 42.56.270, data shared or obtained in the course of this study is not subject to public disclosure. Where unavailable, the

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department and entity commissioned to complete the study shall rely on the best available public data.

(d) The study must include a robust public engagement process including local and state elected officials, labor groups, fence line communities, port districts, economic development associations, and environmental organizations in Skagit, Whatcom, and Pierce counties, and the five Washington refineries.

(e) The department must offer early, meaningful, and individual consultation with any affected Indian tribe for the purpose of understanding potential impacts to tribal rights and resources including cultural resources, archaeological sites, sacred sites, fisheries, and human health.

~~((21))~~ (17) \$600,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((22))~~ (18) \$1,000,000 of the climate commitment account—state appropriation is provided solely for a grant to the Yakama Nation for an advanced rail energy storage project.

(19) \$800,000 of the climate commitment account—state appropriation is provided solely to contract with a nonprofit entity to serve as a Washington state green bank. The purpose of the funds is to leverage federal funds available for green bank development to support development of sustainable and clean energy financing solutions within Washington. If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(20) \$2,500,000 of the climate commitment account—state appropriation is provided solely for the department to build an internet web portal for grant seekers and to establish a marketing and outreach campaign that makes information about funding opportunities widely available. Of the amount provided in this subsection:

(a) \$1,000,000 of the climate commitment account—state appropriation is provided solely for the department to build an internet web portal that provides a centralized location for grant seekers to find all state and federal grant and incentive opportunities in the energy, climate, and clean technology sectors. The portal shall include, but is not limited to, an interactive internet website that is launched to include, at a minimum, information identifying every grant administered by the state and incentive opportunities that will provide clean energy and climate assistance. The department, in consultation with the governor's office, shall ensure that the internet website is accessible and provides helpful information to a diverse set of potential applicants including, but not limited to, nonprofit and community-based organizations, and other entities that are working to support and benefit tribes, rural communities, and vulnerable and overburdened communities. Funds provided in this subsection (a) may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection (a) is null and void upon the effective date of the measure.

(b) \$1,500,000 of the climate commitment account—state appropriation is provided solely for the department to establish a marketing and outreach campaign that makes information about funding opportunities widely available and easy to understand, encouraging more people and organizations to participate. The department shall work with consultants and third-party administrators to identify a range of groups including tribes, vulnerable and overburdened communities, rural communities, local governments, businesses of all sizes, households,

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nonprofits, educational institutions, and the clean energy developers and clean tech manufacturers that would benefit from state and federal funding available for clean energy projects. The campaign shall include a comprehensive marketing and outreach strategy, using various ways to communicate, ensuring all materials are clear, simple, and available in multiple languages, and employing best practices for communicating with diverse and underserved communities. The department, along with selected partners and third-party administrators, shall work with organizations directly serving these communities to extend the reach of these communications, with a goal of directing at least 40 percent of the marketing and outreach funds expended to benefit vulnerable populations in overburdened communities. If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection (b).

(21)(a) \$5,000,000 of the climate commitment account—state appropriation is provided solely for the department to administer a program to assist community-based organizations, local governments, ports, tribes, and other entities to access federal tax incentives and grants. Eligible entities for the program include, but are not limited to, local governments in Washington, tribal governments and tribal entities, community-based organizations, housing authorities, ports, transit agencies, nonprofit organizations, and for-profit businesses. The department shall prioritize assistance that benefits vulnerable populations in overburdened communities, with a goal of directing at least 25 percent of funds to this purpose.

(b) Within the amounts provided in (a) of this subsection, the department must contract with a nonprofit organization to provide the following services:

(i) Development of tax guidance resources for clean energy tax credits, including core legal documents to be used broadly across stakeholders;

(ii) Providing tailored marketing materials for these resources targeting underserved entities; and

(iii) Providing funds to subcontract with clean energy tax attorneys to pilot office hours style support available to eligible entities across the state.

(c) If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(22)(a) \$2,500,000 of the climate commitment account—state appropriation is provided solely for the department to support a tribal clean energy innovation and training center in partnership and collocated at Northwest Indian College. The center aims to support tribal energy goals and pursue clean energy deployment opportunities that enhance tribal energy sovereignty and well-being among tribes.

(b) Activities of the center include, but are not limited to: (i) Developing technical training offerings that could build the tribal workforce pipeline, especially in emerging technologies like geothermal heat pumps and hydrogen technologies, and provide economic development opportunities and resources to the region; (ii) researching and demonstrating the feasibility of innovative clean energy technologies that also nourish and protect the environment; and (iii) creating a model for tribal clean energy centers that can be adopted by other tribal colleges in the region to establish clean energy deployment and land use best practices built on tribal knowledge.

(c) If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the

purposes in this subsection.

(23) \$4,500,000 of the climate commitment account—state appropriation is provided solely for the department to administer a grant program to assist community-based organizations, local governments, ports, tribes, and other entities to author federal grant applications and to provide support for federal grant reporting for entities that receive federal grants. The department will determine a process for prioritizing applicants, including first time or underserved applicants, tribes, and rural areas of the state. The state may also partner with third-party administrators and regional and local partners, such as associate development organizations and other local nonprofits to ensure equitable access to resources. Eligible entities for the program include, but are not limited to, local governments in Washington, tribal governments and tribal entities, community-based organizations, housing authorities, ports, transit agencies, nonprofit organizations, and for-profit businesses. The department shall prioritize grants that provide benefit to vulnerable populations in overburdened communities, with a goal of directing at least 60 percent of funds to this purpose. If Initiative Measure No. 2117 is approved at the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(24) \$539,000 of the climate commitment account—state appropriation is provided solely for the department to develop plans to test hydrogen combustion and resulting nitrogen oxides (NOx) emissions, technical assistance for strategic end uses of hydrogen, a feasibility assessment regarding underground storage of hydrogen in Washington, and an environmental justice toolkit for hydrogen projects. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(25) \$1,112,000 of the climate commitment account—state appropriation is provided solely for implementation of Second Engrossed Substitute House Bill No. 1282 (buy clean and buy fair), including to develop and maintain a publicly accessible database for covered projects to submit environmental and working conditions data, to convene a technical work group, and to develop legislative reports. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(26) \$3,500,000 of the climate commitment account—state appropriation is provided solely for the department to provide and facilitate access to energy assistance programs, including incentives, energy audits, and rebate programs to retrofit homes and small businesses. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(27) \$750,000 of the climate commitment account—state appropriation is provided solely for the department to provide technical assistance and education materials to help counties establish effective commercial property assessed clean energy and resiliency (C-PACER) programs. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(28) \$3,000,000 of the climate commitment account—state appropriation is provided solely for the department to establish a Washington clean energy ambassadors program. This program will offer education, planning, technical assistance, and

community engagement across the state. Ambassadors will link local entities with resources and best practices to enable clean energy access for all communities and promote a just transition to a net-zero economy. The department must prioritize providing meaningful benefits to vulnerable populations in overburdened communities as defined under RCW 70A.02.010. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure. This program must:

(a) Identify a pilot cohort of intermediary organizations;

(b) Recruit and train clean energy ambassadors;

(c) Host community energy and resilience educational events and workshops; and

(d) Provide technical assistance to help governments, community-based organizations, businesses, and communities obtain clean energy resources.

(29) \$150,000,000 of the climate commitment account—state appropriation is provided solely for the department to provide clean energy for Washington families grants for public and private electric utilities to provide bill credits for low-income and moderate-income residential electricity customers to help with the clean energy transition in the amount of \$200 per household, by September 15, 2024. Low and moderate-income is defined as less than 150 percent of area median income. Utilities must prioritize customers in vulnerable populations in overburdened communities as defined under RCW 70A.02.010, such as those that have participated in the low-income home energy assistance program, utility payment plans, or ratepayer-funded assistance programs. Utilities must first prioritize bill credits for customers at or below 80 percent area median income and if funds remain, may expand bill credits for customers up to 150 percent of area median income. Utilities may qualify customers through self-attestation. Utilities may, but are not required to, work with community action agencies to administer these funds. Each utility shall disburse funds directly to customer accounts and adhere to program communications guidelines provided by the department. Utilities may use up to five percent of their grant funds for administrative costs associated with the disbursement of funds provided in this subsection. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(30) \$350,000 of the climate commitment account—state appropriation is provided solely for the authority to contract with Tacoma power, to conduct a feasibility study, including scoping project costs, on pumped storage at Tacoma power's Mossyrock dam. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(31) \$1,000,000 of the natural climate solutions account—state appropriation is provided solely for the department to provide grants to the following public utility districts for the costs of relocating utilities necessitated by fish barrier removal projects: Clallam, Grays Harbor, Jefferson, Kittitas, Mason public utility district no. 1, Mason public utility district no. 2, Skagit, and Thurston. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(32)(a) \$600,000 of the climate commitment account—state appropriation is provided solely for the department to administer a grant program for cities and counties to establish permitting

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processes that rely on the online automated permit processing software developed by the national renewable energy laboratory and that applies to any combination of the following permitting: Solar, energy storage, electric vehicle charging infrastructure, or other similar clean energy applications included within the suite of capabilities of the online automated permit processing software. To be eligible for grant funding under this subsection, a city or county is only required to submit a notice of their intent to participate in the program.

(b) The department must award grants of no less than \$20,000 to each city or county that provides notice by December 1, 2024.

(c) In the event that more than a total of 30 cities and counties notify the department of their intent to participate in the program, the department must prioritize jurisdictions based on:

(i) The timeline on which the jurisdiction is willing to commit to transitioning to the online automated permit processing software; and

(ii) The total number of covered permits expected to be issued by the jurisdiction, based on recent historical permit data submitted to the department by the city or county.

(d) In the event that fewer than 30 cities and counties notify the department of their intent to participate in the program, the department may allocate a greater amount of financial assistance than a standard minimum grant of \$20,000 to jurisdictions that expect to experience comparatively high costs to transition to the online automated permit processing software.

(e) The department may use up to five percent of the amount provided in this subsection for administrative costs.

(f) Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(33) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a nonprofit social service organization located in King county's Rainier Valley neighborhood with an innovative learning center. Funding must be used to support an electrification preapprenticeship program for formerly incarcerated individuals and community members who are low income or homeless that offers hands-on technical training targeting clean energy methods that will align the participant's qualifications with solar technician apprenticeships and employment opportunities.

(34) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to contract with a nonprofit entity that represents the maritime industry to develop and publish a strategic framework regarding the production, supply, and use of sustainable maritime fuels and deployment of low and zero-emissions vessel technologies in Washington. Funding under this subsection may be used for activities including, but not limited to, convening stakeholders and building organizational capacity. Stakeholder engagement pursuant to this subsection shall include, at a minimum, engagement with federal and state agencies, ports, industry, labor, research institutions, nongovernmental organizations, and relevant federally recognized tribes. The department shall submit a copy of the strategic framework and findings to the legislature and the governor by June 30, 2025. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(35) \$182,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for wildfire recovery costs from the Gray wildfire that impacted the city of Medical Lake. Recovery costs include procurement of water for firefighting,

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restoration of water and sewer infrastructure, replacement of water meters, emergency sewer capping, and various other costs associated with wildfire recovery.

(36) \$500,000 of the climate commitment account—state appropriation is provided solely for the department to provide a grant to the Muckleshoot Indian tribe for high-speed charging stations for electric vehicles on highway 164 near Dogwood street. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(37) \$150,000 of the climate commitment account—state appropriation is provided solely for a grant to the smart building center education program to develop a qualified energy manager training program. The program must be available on demand and at no cost to the owners and operators of all tier 2 buildings to assist in complying with Washington's clean buildings performance standards. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(38) \$150,000 of the climate commitment account—state appropriation is provided solely for a grant to conduct up to three feasibility studies that will investigate the expansion of sewer heat recovery programs and pilots, within Washington state, to support decarbonization of the built environment. The feasibility studies will explore and review sewer heat recovery systems' potential benefits, implementation strategies, and necessary considerations to maximize decarbonization. The sites will be selected from the following: Decarbonization of a university campus district steam system, a rural community with agricultural and/or industrial focus, a tribal development, and/or another appropriate site. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(39)(a) \$500,000 of the climate commitment account—state appropriation is provided solely for a grant to establish the Washington just and rapid transition climate tech program. The grant will provide funding for the recruitment, development, business training, and support of underserved climate technology innovators, entrepreneurs, and organizations developing or deploying solutions in the areas of renewable energy, energy efficiency, sustainable transportation, and other technology solving for the environmental challenges facing overburdened communities in Washington.

(b) Activities may include supporting entrepreneurs in preparing for private investment; technical assistance for entrepreneurs receiving state directed federal equity and debt capital; assistance accessing or leveraging the use of federal funding; business coaching and mentoring; and connections to technical and business resources.

(c) The grant recipient must be a nonprofit organization that has been awarded, from the state of Washington, federal state small business credit initiative funds for investment in Washington climate tech entrepreneurs, and must also have experience managing investment funding and providing entrepreneurial support programs and federal funding assistance to early-stage climate start-ups and businesses based in Washington. The grant recipient should have experience providing services to individuals and companies led by individuals from underrepresented groups, including BIPOC, women, and individuals residing in rural communities and have working partnerships with state research universities, climate tech industry associations, and community-based organizations

servicing underserved communities.

(d) If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(40) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide a grant for a study on how other states regulate and permit agritourism and bring the advocates of interested groups together to resolve outstanding issues about permitting in agricultural areas, the sale of beer, wine, and cider, and the use of agricultural buildings for agritourism purposes. A report of the findings and recommendations must be submitted to the legislature in accordance with RCW 43.01.036 by June 30, 2025.

(41) \$750,000 of the climate commitment account—state appropriation is provided solely for a grant to the city of Ellensburg for decarbonization planning and implementation. The funding must be used by the city for staff or contractors to develop and implement strategies to comply with the requirements of climate commitment act and decarbonize their natural gas utility. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(42) \$199,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(43) \$272,000 of the climate commitment account—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute House Bill No. 2131 (thermal energy networks). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(44) \$1,850,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1899 (wildfire reconstruction). Of the amount provided in this subsection, \$1,700,000 is provided solely for grants. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(45)(a) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with the Washington state academy of sciences to conduct a study to determine the value of distributed solar and storage in Washington state, including any factors the academy finds relevant, in order to create recommendations and options for a methodology or methodologies that utility regulators and governing bodies may use after the statutory four percent net metering threshold is met. In the course of their research and analysis, the academy shall engage relevant stakeholders focused on the value of distributed energy resources in Washington state, including solar, storage, vehicle to grid, and other resources. This shall include, but is not limited to, representatives from consumer-owned utilities, municipal-owned utilities, investor-owned utilities, utility regulators, the rooftop solar and storage industry, as well as advocacy organizations involved with consumer advocacy, environmental justice, clean energy, climate

change, labor unions, and federally recognized Indian tribes.

(b) The Washington state academy of sciences shall submit an interim report to the department and the utilities and transportation commission by June 30, 2025. This interim report must include a plan and cost estimates for further work in the 2025-2027 fiscal biennium to develop policy recommendations and submit a final report to the department and the utilities and transportation commission.

(46) \$24,000 of the climate commitment account—state appropriation is provided solely for implementation of Substitute House Bill No. 1924 (fusion technology policies). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

Sec. 131. 2023 c 475 s 133 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMERCE—PROGRAM SUPPORT

General Fund—State Appropriation (FY 2024)	(\$26,300,000)
	\$24,818,000
General Fund—State Appropriation (FY 2025)	(\$18,107,000)
	\$22,062,000
General Fund—Federal Appropriation.....	(\$7,822,000)
	\$8,035,000
General Fund—Private/Local Appropriation	(\$2,055,000)
	\$2,129,000
Dedicated Cannabis Account—State Appropriation (FY 2024).....	\$5,000
Dedicated Cannabis Account—State Appropriation (FY 2025).....	\$7,000
Affordable Housing for All Account—State Appropriation	(\$184,000)
	\$192,000
Building Code Council Account—State Appropriation	\$4,000
Climate Commitment Account—State Appropriation	\$253,000
Community and Economic Development Fee Account—State Appropriation	(\$241,000)
	\$257,000
Coronavirus State Fiscal Recovery Fund—Federal Appropriation	\$1,050,000
Economic Development Strategic Reserve Account—State Appropriation	\$47,000
Energy Efficiency Account—State Appropriation .	(\$20,000)
	\$19,000
Financial Fraud and Identity Theft Crimes Investigation and Prosecution Account—State Appropriation	\$47,000
Growth Management Planning and Environmental Review Fund—State Appropriation	(\$147,000)
	\$146,000
Home Security Fund Account—State Appropriation	(\$1,401,000)
	\$1,449,000
Lead Paint Account—State Appropriation.....	(\$29,000)
	\$31,000
Liquor Excise Tax Account—State Appropriation	(\$398,000)
	\$397,000
Liquor Revolving Account—State Appropriation..	(\$17,000)
	\$18,000
Low-Income Weatherization and Structural	

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Rehabilitation Assistance Account—State	
Appropriation.....	(\$10,000)
	<u>\$13,000</u>
Public Facilities Construction Loan Revolving	
Account—State Appropriation	(\$320,000)
	<u>\$330,000</u>
Public Works Assistance Account—State	
Appropriation	(\$2,005,000)
	<u>\$2,044,000</u>
Washington Housing Trust Account—State	
Appropriation	(\$1,141,000)
	<u>\$1,198,000</u>
TOTAL APPROPRIATION.....	(\$60,307,000)
	<u>\$64,551,000</u>

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

(1) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants and associated technical assistance and administrative costs to foster collaborative partnerships that expand child care capacity in communities. Eligible applicants include nonprofit organizations, school districts, educational service districts, and local governments. These funds may be expended only after the approval of the director of the department of commerce and must be used to support planning and activities that help communities address the shortage of child care, prioritizing partnerships serving in whole or in part areas identified as child care access deserts. The department must submit a report to the legislature on the use of funds by June 30, 2025. The report shall include, but is not limited to:

(a) The number and location of organizations, school districts, educational service districts, and local governments receiving grants;

(b) The number of grants issued and their size; and

(c) Any information from grantee organizations on outcomes.

(2) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization located in the city of Vancouver that is the lead organization in a collaborative partnership to expand child care capacity in southwest Washington, for activities that will increase access to affordable, high-quality child care and help meet community needs.

(3) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the work group created in section 916 of this act to examine fire service delivery.

(4)(a) \$30,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to produce a study of the retirement preparedness of Washington residents and the feasibility of establishing a portable individual retirement account savings program with automatic enrollment (auto-IRA) for private sector workers who do not have workplace retirement benefits. To conduct the study, the department shall enter into an agreement with a nonprofit, nonpartisan think tank and research center based in Washington, D.C. that is unaffiliated with any institution of higher education and with a mission to generate a foundation of facts that enriches the public dialog and supports sound decision making. This research center will be responsible for the production of the study to the department. The center shall not be reimbursed for costs nor shall it receive or retain any of the funds. With the advice and consent of the department, the center may select a research institution, entity, or individual located in Washington state with expertise and proficiency in demographic analysis, retirement systems, or retirement planning to collaborate

with on this study. The appropriation may be used by the department to enter into a contract with this partner entity for the partner entity's contributions to the study. Any funds not provided to the partner entity or otherwise unused shall be returned.

(b) The study must analyze current state and federal programs and recent state and federal statutory and rule changes that encourage citizens to save for retirement by participating in retirement savings plans, including plans pursuant to sections 401(k), 403(b), 408, 408(a), 408(k), 408(p), and 457(b) of the internal revenue code. The scope of the analysis must include:

(i) An examination of potential retirement savings options for self-employed individuals, part-time employees, and full-time employees whose employers do not offer a retirement savings plan;

(ii) Estimates of the impact on the state budget from shortfalls in retirement savings or income, including on public budgets from taxpayer-financed elderly assistance programs and a loss of economic activity by seniors;

(iii) The level of interest by private sector Washington employers in participating in an auto-IRA program;

(iv) A determination of how prepared financial institutions will be to offer these plans in compliance with federal requirements on all new retirement plans going into effect in 2025;

(v) Findings that clarify the gaps in retirement savings services currently offered by financial institutions;

(vi) An examination of the impact of retirement savings on income and wealth inequality;

(vii) An estimate of the costs to start up an auto-IRA program, an estimate of the time for the program to reach self-sufficiency, and potential funding options;

(viii) The experience of other states that have implemented or are implementing a similar auto-IRA program for employers and employees, as well as program impacts on the market for retirement plan products and services;

(ix) An evaluation of the feasibility and benefits of interstate partnerships and cooperative agreements with similar auto-IRA programs established in other jurisdictions, including contracting with another state to use that state's auto-IRA program, partnering with one or more states to create a joint auto-IRA program, or forming a consortium with one or more other states in which certain aspects of each state's auto-IRA program are combined for administrative convenience and efficiency;

(x) An assessment of potential changes in enrollment in a joint auto-IRA program if potential participants are concurrently enrolled in the federal "saver's credit" program;

(xi) An assessment of how a range of individuals or communities view wealth, as well as ways to accumulate assets;

(xii) The appropriate state agency and potential structure for implementing an auto-IRA program; and

(xiii) Recommendations for statutory changes or appropriations for establishing an auto-IRA program.

(c) By December 15, 2023, the department must submit a report to the appropriate committees of the legislature in compliance with RCW 43.01.036 on the study findings.

(5) \$750,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for a nonprofit, tax-exempt charitable organization comprised of a coalition of over 90 nonprofit and business leaders located in King county working to include black, indigenous, and people of color in the region's COVID-19 pandemic recovery.

(6) \$253,000 of the climate commitment account—state appropriation is provided solely for the department to incorporate equity and environmental justice into agency grant programs with the goal of reducing programmatic barriers to vulnerable populations in overburdened communities in accessing

department funds. The department shall prioritize grant programs receiving funds from the accounts established under RCW 70A.65.240, 70A.65.250, 70A.65.260, 70A.65.270, and 70A.65.280. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(7) \$325,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract for and implement a pilot program for onsite or near-site child care facilities to serve children of construction workers. The pilot program must be administered as a competitive grant program and include at least one pilot site near a long-term construction project, onsite at construction companies, or onsite at places of apprenticeship training or worker dispatch. Eligible grant applicants for the program may include nonprofit organizations or employers in partnership with nonprofit organizations. To qualify for a grant, the applicant must be in partnership with one organization representing child care labor, and one organization representing construction labor or a registered apprenticeship program. Preference will be given to proposals that demonstrate commitment to providing nonstandard hours of care. Of the amounts provided in this subsection:

(a) \$300,000 of the general fund—state appropriation for fiscal year 2025 is for grants for the creation and implementation of the pilot site or sites. Grant funding may be used to acquire, renovate, or construct a child care facility, as well as for administrative start-up costs, licensing costs, reporting to the department, and creating a sustainability plan.

(b)(i) \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a nonprofit organization to provide technical assistance to grant awardees and for status reports to the department. The nonprofit organization must be headquartered in Tukwila and provide grassroots professional development opportunities to early care and education professionals throughout Washington state.

(ii) The department must submit a report on the results of the pilot program to the legislature and the office of the governor by June 30, 2025.

(8)(a) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to examine allowable expenses and the contracting process of human service provider contracts that have been directly contracted by the department or have been contracted by an entity that received funding by these departments for human services. The department may contract with an external consultant to consult a work group and evaluate the following issues:

(i) Assess if existing contracting structures for human service providers that utilize state funding are adequate for sustaining the human services sector;

(ii) Assess alternative contracting structures for human service providers that may exist within the United States;

(iii) Assess the viability of a lowest responsible bidder contracting structure for state human service providers contracts;

(iv) Facilitate discussion amongst interested parties; and

(v) Develop recommendations for necessary changes in state RCW or agency rule.

(b) The department or consultant must engage with and seek recommendations from a work group representing diverse organizations from around the state and whose membership may include:

(i) Human service provider organizations;

(ii) State government agencies that manage human service contracts;

(iii) The office of equity; and

(iv) Local governments.

(d) The department must submit a final report to the governor and appropriate committees of the legislature by June 30, 2025. The final report must include:

(i) An evaluation of existing contracting structures for human service provider contracts that utilize state funding are creating hardship for human service providers; and

(ii) Recommendations for necessary changes in the Revised Code of Washington or agency rule to address structural hardships in human services contracting.

Sec. 132. 2023 c 475 s 134 (uncodified) is amended to read as follows:

FOR THE ECONOMIC AND REVENUE FORECAST COUNCIL

General Fund—State Appropriation (FY 2024) ...	(\$973,000)
	\$1,154,000
General Fund—State Appropriation (FY 2025)	(\$1,040,000)
	\$1,034,000
Lottery Administrative Account—State Appropriation	\$50,000
TOTAL APPROPRIATION	(\$2,063,000)
	\$2,238,000

Sec. 133. 2023 c 475 s 135 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund—State Appropriation (FY 2024)	(\$19,943,000)
	\$20,390,000
General Fund—State Appropriation (FY 2025)	(\$21,286,000)
	\$24,967,000
General Fund—Federal Appropriation.....	(\$38,384,000)
	\$38,434,000
General Fund—Private/Local Appropriation	(\$1,499,000)
	\$3,943,000
Climate Investment Account—State Appropriation	(\$909,000)
	\$811,000
Climate Commitment Account—State Appropriation	(\$4,485,000)
	\$5,985,000
Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation	\$656,000
(Economic Development Strategic Reserve	
Account—State Appropriation	\$68,000)
Personnel Service Account—State Appropriation	(\$26,815,000)
	\$27,396,000
Higher Education Personnel Services Account—State	
Appropriation	\$1,497,000
Statewide 988 Behavioral Health Crisis Response Line	
Account—State Appropriation.....	\$300,000
Statewide Information Technology System Development	
Revolving Account—State Appropriation	(\$105,745,000)
	\$200,458,000
Office of Financial Management Central Service	
Account—State Appropriation.....	(\$30,929,000)
	\$33,189,000
(Performance Audits of Government Account—	
State Appropriation	\$108,000
Workforce Education Investment Account—State	
Appropriation	\$100,000)
TOTAL APPROPRIATION	(\$252,724,000)
	\$358,026,000

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

(1)(a) The student achievement council and all institutions of

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higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters 28B.92 and 28B.118 RCW shall ensure that data needed to analyze and evaluate the effectiveness of state financial aid programs are promptly transmitted to the education data center so that it is available and easily accessible. The data to be reported must include but not be limited to:

- (i) The number of Washington college grant and college bound recipients;
- (ii) Persistence and completion rates of Washington college grant recipients and college bound recipients, disaggregated by institution of higher education;
- (iii) Washington college grant recipients grade point averages; and
- (iv) Washington college grant and college bound scholarship program costs.

(b) The student achievement council shall submit student unit record data for state financial aid program applicants and recipients to the education data center.

~~(2) ((\$100,000 of the workforce education investment account—state appropriation is provided solely to the office of financial management to implement career connected learning.~~

~~(3))~~(a) ~~(\$105,607,000)~~ \$200,312,000 of the information technology system development revolving account—state appropriation is provided solely for the one Washington enterprise resource planning statewide program phase 1A (agency financial reporting system replacement) and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(b) Of the amount provided in this subsection:

(i) ~~(\$41,000,000)~~ \$64,780,000 of the information technology system development revolving account—state appropriation is provided solely for a technology pool ~~(in fiscal year 2024)~~ to pay for phase 1A (agency financial reporting system replacement—core financials) state agency costs due to legacy system remediation work associated with impacted financial systems and interfaces. The office of financial management must manage the pool, authorize funds, track costs by agency by fiscal month, and report after each fiscal month close on the agency spending to the consolidated technology services agency so that the spending is included in the statewide dashboard actual spending;

(ii) \$5,650,000 of the information technology system development revolving account—state appropriation is provided solely for organizational change management;

(iii) ~~(\$690,000)~~ \$1,380,000 of the information technology system development revolving account—state appropriation is provided solely for an interagency agreement ~~((in fiscal year 2024))~~ with consolidated technology services for one dedicated information technology consultant and two dedicated system architect staff to be contracted from the office of the chief information officer. These staff will work with state agencies to ensure preparation and timely decommission of information technology systems that will no longer be necessary post implementation of phase 1A (agency financial reporting system replacement—core financials); and

(iv) \$1,854,000 of the information technology system development revolving account—state appropriation is provided solely for dedicated back office administrative support in fiscal year 2024. This includes resources for human resource staff, contract staff, information technology staff, and fiscal staff.

(c) The one Washington team must include at least the chair and ranking member of the technology committees and fiscal committees of the senate and house of representatives in system demonstrations of at least these key deliverables:

- (i) Demonstration of integration build, which must be completed by July 31, 2023; and
- (ii) Demonstration of workday tenant, which must be completed by November 30, 2023.

(d) The one Washington solution and team must use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of two-week sprints.

(e) The one Washington solution must be capable of being continually updated, as necessary.

(f) Beginning July 1, 2023, the office of financial management shall provide written quarterly reports, within 30 calendar days of the end of each fiscal quarter, to legislative fiscal committees and the legislative evaluation and accountability program committee to include how funding was spent compared to the budget spending plan for the prior quarter by fiscal month and what the ensuing quarter budget will be by fiscal month. All reporting must be separated by phase of one Washington subprojects. The written report must also include:

(i) A list of quantifiable deliverables accomplished and amount spent associated with each deliverable, by fiscal month;

(ii) A report on the contract full-time equivalent charged compared to the budget spending plan by month for each contracted vendor, to include interagency agreements with other state agencies, and what the ensuing contract equivalent budget spending plan assumes by fiscal month;

(iii) A report identifying each state agency that applied for and received technology pool resources, the staffing equivalent used, and the cost by fiscal month by agency compared to the budget spending plan by fiscal month;

(iv) A report on budget spending plan by fiscal month by phase compared to actual spending by fiscal month, and the projected spending plan by fiscal month for the ensuing quarter; and

(v) A report on current financial office performance metrics that at least 10 state agencies use, to include the monthly performance data, that began July 1, 2021.

(g) Prior to the expenditure of the amounts provided in this subsection, the director of the office of financial management must review and approve the spending in writing.

(h) The legislature intends to provide additional funding for fiscal year 2025 costs for phase 1A (agency financial reporting system replacement) to be completed, which is scheduled to be done by June 30, 2025.

~~((4))~~ (3) \$250,000 of the office of financial management central services account—state appropriation is provided solely for a dedicated information technology budget staff for the work associated with statewide information technology projects that at least are subject to the conditions, limitations, and review requirements of section 701 of this act and are under the oversight of the office of the chief information officer. The staff will be responsible for providing a monthly financial report after each fiscal month close to fiscal staff of the senate ways and means and house appropriations committees to reflect at least:

(a) Fund balance of the information technology pool account after each fiscal month close;

(b) Amount by information technology project, differentiated if in the technology pool or the agency budget, of what funding has been approved to date and for the last fiscal month;

(c) Amount by agency of what funding has been approved to date and for the last fiscal month;

(d) Total amount approved to date, differentiated if in the technology pool or the agency budget, and for the last fiscal month;

(e) A projection for the information technology pool account by fiscal month through the 2023-2025 fiscal biennium close, and

a calculation spent to date as a percentage of the total appropriation;

(f) A projection of each information technology project spending compared to budget spending plan by fiscal month through the 2023-2025 fiscal biennium, and a calculation of amount spent to date as a percentage of total project cost; and

(g) A list of agencies and projects that have not yet applied for nor been approved for funding by the office of financial management.

~~((5))~~ (4) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 245, Laws of 2022 (state boards, etc./stipends).

~~((6) \$137,000)~~ (5) \$39,000 of the climate investment account—state appropriation is provided solely for the office of financial management to complete an analysis of laws regulating greenhouse gas emissions as required by RCW 70A.65.200(10).

~~((7))~~ (6) \$3,060,000 of the general fund—federal appropriation and \$4,485,000 of the climate commitment account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1176 (climate-ready communities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ A minimum of 60 percent of climate service corps positions created pursuant to the bill shall be provided to members of vulnerable populations in overburdened communities as defined in RCW 70A.65.010, the climate commitment act.

~~((8))~~ (7) \$366,000 of the office of financial management central services account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5512 (higher ed. financial reports). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9)) (8) Within existing resources, the labor relations section shall produce a report annually on workforce data and trends for the previous fiscal year. At a minimum, the report must include a workforce profile; information on employee compensation, including salaries and cost of overtime; and information on retention, including average length of service and workforce turnover.

~~((10))~~ (9) \$298,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of financial management to convene a task force created in section 913 of this act to identify, plan, and make recommendations on the conversion of the Naselle youth camp property and facilities to an alternate use. Staff support for the task force must be provided by the office of financial management.

~~((11))~~ (10) Within existing resources, the office of financial management shall convene a work group with the goal to improve the state salary survey and provide employees with a voice in the process. The work group shall consist of five employees from the office of financial management, five representatives from employee labor organizations to act as a coalition on behalf of all labor organizations representing state employees, and one chairperson appointed by the director of the office of financial management, to share information and identify concerns with the state salary survey and benchmark job descriptions. By December 31, 2023, the work group shall provide a report of identified concerns to the fiscal and state government committees of the legislature and the director of the office of financial management.

~~((12))~~ (11)(a) \$410,000 of the general fund—state appropriation for fiscal year 2024 and \$615,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to establish a difficult to discharge task force to oversee a pilot program and make recommendations about how to address challenges faced with discharging patients from acute

care settings and postacute care capacity by July 1, 2023.

(b) The task force shall consist of six members, one from each of the following:

- (i) The governor's office;
- (ii) The health care authority;
- (iii) The department of social and health services;
- (iv) The Washington state hospital association;
- (v) Harborview medical center; and
- (vi) Postacute care provider organizations.

(c) In consultation with stakeholder groups, the governor's office will identify task force members.

(d) The task force shall provide recommendations to the governor and appropriate committees of the legislature on topics including, but not limited to:

- (i) Pilot program implementation and evaluation, and recommendations for statewide implementation;
- (ii) Available funding mechanisms;
- (iii) Postacute care and administrative day rates;
- (iv) Managed care contracting; and
- (v) Legal, regulatory, and administrative barriers to discharge.

(e) The task force shall consult with stakeholders with relevant expertise to inform recommendations, including the health care authority, the department of social and health services, hospitals, postacute care providers, and medicaid managed care organizations.

(f) The task force may assemble ad hoc subgroups of stakeholders as necessary to complete its work.

(g) The task force and its operations, including any associated ad hoc subgroups, shall be organized and facilitated by the University of Washington through October 31, 2023. Beginning November 1, 2023, the office shall identify a contractor to undertake the following responsibilities, with oversight from the task force:

- (i) Organization and facilitation of the task force, including any associated subgroups;
- (ii) Management of task force process to ensure deliverables, including report writing;
- (iii) Oversight of the launch of a ~~((five-site,))~~ two-year pilot project based on a model created by Harborview medical center by November 1, 2023; and
- (iv) Coordination of pilot implementation, associated reports, and deliverables.

(h) The task force shall provide recommendations to the governor and appropriate committees of the legislature outlining its initial recommendations by November 1, 2023. A report outlining interim recommendations and findings shall be provided by July 1, 2024, and a final report shall be provided by July 1, 2025.

~~((13))~~ (12) \$277,000 of the office of financial management central services account—state appropriation is provided solely for implementation of House Bill No. 1679 (student homelessness group). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(14)) (13) \$772,000 of the climate investment account—state appropriation is provided solely for the office to develop a data portal and other materials and strategies to improve public and community understanding of expenditures, funding opportunities, and grants, from climate commitment act accounts. The development of the data portal must be coordinated with the department of ecology and the expenditure tracking process described in section 302(13) of this act. "Climate commitment act accounts" means the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, the climate investment account created in RCW 70A.65.250, the air quality and health disparities

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improvement account created in RCW 70A.65.280, the climate transit programs account created in RCW 46.68.500, and the climate active transportation account created in RCW 46.68.490.

~~((45))~~ (14)(a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a joint legislative and executive committee on behavioral health, with members as provided in this subsection:

(i) The president of the senate shall appoint three legislative members, including a chair of a senate committee that includes behavioral health within its jurisdiction and a member of the children and youth behavioral health work group;

(ii) The speaker of the house of representatives shall appoint three legislative members, including a chair of a house committee that includes behavioral health within its jurisdiction and a member of the children and youth behavioral health work group;

(iii) The governor or his or her designee;

(iv) The secretary of the department of social and health services or his or her designee;

(v) The director of the health care authority or his or her designee;

(vi) The insurance commissioner or his or her designee;

(vii) The secretary of the department of health or his or her designee; and

(viii) The secretary of the department of children, youth, and families or his or her designee;

(ix) Other agency directors or designees as necessary; ~~((and))~~

(x) Two individuals representing the interests of individuals living with behavioral health conditions; and

(xi) The chief executive officer of a Washington nonprofit corporation wholly controlled by the tribes and urban Indian organizations in the state, or the commission delegate if applicable, or his or her designee.

(b)(i) The committee must convene by September 1, 2023, and shall meet at least quarterly. The committee member described in (a)(xi) of this subsection must be appointed or selected no later than June 1, 2024. Cochairs shall be one legislative member selected by members of the committee at the first meeting and the representative of the governor's office. All meetings are open to the public.

(ii) The office of financial management shall contract or hire dedicated staff to facilitate and provide staff support to the nonlegislative members and for facilitation and project management support of the committee. Senate committee services and the house of representatives office of program research shall provide staff support to the legislative members of the committee. The contractor shall support the work of all members of the committee, legislative and nonlegislative.

(iii) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. Committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate.

(c) The purpose of the committee is to identify key strategic actions to improve access to behavioral health services, by conducting at least, but not limited to, the following tasks:

(i) Establishing a profile of Washington's current population and its behavioral health needs and a projection of population growth and anticipated need through 2028;

(ii) Establishing an inventory of existing and anticipated behavioral health services and supports for adults, children, and youth, including health care providers and facilities;

(iii) Assessing the areas of the current system where additional support is needed for Washington's current population;

(iv) Establishing an anticipated inventory of future services and supports that will be required to meet the behavioral health needs of the population in 2028 and beyond with a specific emphasis on prevention, early intervention, and home or community-based capacity designed to reduce reliance on emergency, criminal legal, crisis, and involuntary services;

(v) Reviewing the integrated care initiative on access to timely and appropriate behavioral health services for individuals with acute behavioral health needs; and

(vi)(A) Developing a strategy of actions that the state may take to prepare for the future demographic trends in the population and building the necessary capacity to meet these demands, including but not limited to:

(I) Exploring the role that education, housing and homelessness response systems, the criminal legal system, primary health care, and insurance systems have in the identification and treatment of behavioral health issues;

(II) Evaluating behavioral health workforce demand and workforce education, training, and continuing education requirements; and

(III) Statutory and regulatory changes to promote the most efficient use of resources, such as simplifying administrative procedures, facilitating access to services and supports systems, and improving transitions between care settings.

(B) Strategies must:

(I) Be based on explicit and measurable actions;

(II) Identify what must be done, by whom, and by when to assure implementation;

(III) Estimate a cost to the party responsible for implementation;

(IV) Recommend specific fiscal strategies that rely predominately on state and federal funding;

(V) Include recommendations for needed and appropriate additional caseload forecasting for state-funded behavioral health services; and

(VI) Incorporate and reconcile, where necessary, recommendations from past and current behavioral health work groups created by the legislature and network adequacy standards established by the health care authority.

(d) The committee shall incorporate input from the office of the insurance commissioner, the caseload forecast council, the health care authority, and other appropriate entities with specialized knowledge of the needs and growth trends of the population and people with behavioral health issues. In the conduct of its business, the committee shall have access, upon request, to health-related data available to state agencies by statute, as allowed by state and federal law. All requested data or other relevant information maintained by an agency shall be provided in a timely manner.

(e) The committee shall submit a sustainable five-year plan to substantially improve access to behavioral health for all Washington residents to the governor, the office of financial management, and the legislature by June 1, 2025.

~~((46))~~ (15) The office of financial management must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((47))~~ (16) \$300,000 of the statewide 988 behavioral health crisis response and suicide prevention line account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this~~

~~subsection shall lapse.)~~

(17) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the purchase and distribution of accessible technology and devices to support the employment and reasonable accommodation for state employees with disabilities. The office may use funds to purchase accessible technology and devices or the office may provide funds to agencies that employ persons with a disability to purchase accessibility devices such as screen readers, large button/print equipment, magnifiers, accessibility software, and other equipment.

(18)(a) \$274,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to conduct an analysis of health care services for pregnancy-related health care, including preconception, prenatal, labor and delivery, and postpartum care. With regard to these types of services, the analysis shall include, but not be limited to:

(i) Access to services and disparities in access;

(ii) Cost;

(iii) Location and type of provider; and

(iv) Demographics of patients and providers.

(b) The office of financial management shall submit a report to the governor and the appropriate committees of the legislature by June 30, 2025. The report shall include the analysis in (a) of this subsection and must identify and represent the following information in both table and geographical map view:

(i) Community and hospital birth centers by name, city, and county;

(ii) Annual births by geographical location to include community and hospital birth center, if known;

(iii) Greatest gaps in service using data in this subsection.

(c) The report required in (b) of this subsection must also include any recommendations for how to fill the gaps in service identified in the data and any recommendations for future analysis.

(19) \$298,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to convene a task force created in section 905 of this act to identify, plan, and make recommendations on the future use of the Larch corrections center property and facilities to an alternate use. Staff support for the task force must be provided by the office of financial management.

(20)(a) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a third party to complete market research on incarcerated individual communication rates in the United States. The market research must include:

(i) Detail by state on the amount each state pays to the vendor contracted to provide communication service rates and rate structures for incarcerated individuals at discrete points of time to include, at least, January 1, 2024, January 1, 2020, and January 1, 2015 for, at least but not limited to:

(A) Voice communication;

(B) Video communication;

(C) Email communication; and

(D) Text messaging communication;

(ii) The amount families paid in total for a state's contracted telecom vendor each state fiscal year for at least fiscal years 2018, 2019, 2020, 2021, 2022, and 2023;

(iii) Comparative market research analysis on rate structures over time, how those rates compare to the telecommunication fees over the same time, and how the market is anticipated to change by calendar year from calendar year 2024 through calendar year 2030;

(iv) Analysis on how many states provide at least voice communication services or any other communication services

free of charge to the person initiating and the person receiving the communication and what calendar date that began; and

(v) Comparative analysis of any impacted rate structures, and at least those in (a)(i) of this subsection, before communication services are made free of charge to the person initiating and the person receiving the communication compared to the new negotiated rate structures, and at least those in (a)(i) of this subsection, after communication services are made free of charge to the person initiating and the person receiving the communication.

(b) The report must be submitted to the governor and the appropriate policy and fiscal committees of the legislature by December 31, 2024.

(21) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to evaluate the timeline and effectiveness of services supporting agency requests to downsize, acquire, expand, or relocate state facilities. The office, in collaboration with the department of enterprise services, will contract with an independent entity for the analysis and mapping of service delivery workflow and timeline, with the goal of identifying gaps and opportunities to improve efficiency by June 30, 2025. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW. The report must be submitted to the governor and the appropriate policy and fiscal committees of the legislature by June 30, 2025.

(22) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to conduct a study related to the hiring and retention of county-level elections staff, including staff members of a county auditor's office.

(a) The study must include analysis of:

(i) The potential effects of the following on the hiring and retention of county-level elections staff:

(A) Implementing ranked-choice voting;

(B) Shifting local government elections to even-numbered years; and

(C) Negative interactions with voters and other members of the public, such as experiencing harassment and abuse or receiving threats;

(ii) The demographic information of county-level elections staff;

(iii) Job market conditions in Washington for elections staff recruitment and retention; and

(iv) Elections staffing models in other states, including in states that use ranked-choice voting and states where at least one election has shifted from an odd-numbered year to an even-numbered year.

(b) The study must also include recommendations for recruiting, hiring, and retaining county-level elections staff in Washington.

(c) A final report must be submitted to the governor and the appropriate policy and fiscal committees of the legislature by December 31, 2024.

(23)(a) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$210,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office, in coordination with the department of revenue, to conduct a study of costs to the state, whether actual spending or foregone revenue collections, related to nonprofit health care providers, facilities, and insurers.

(b) The study shall quantify the value of state and federal tax preferences, tax-preferred capital financing such as financing available through the Washington health care facilities authority, and other public reimbursement streams available to nonprofit health care providers, facilities, and insurers outside of payment for health care claims.

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(c) The office must submit a report to the governor and the relevant policy and fiscal committees of the legislature by October 1, 2024.

(24)(a) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of financial management to conduct a study of the future long-term uses of the Olympic heritage behavioral health campus. The study must assess the options for maximizing the facility's ability to receive federal matching funds for services provided while contributing to the health of the entire state behavioral health system based on community needs. The study must examine Washington behavioral health system trends, including demand and capacity for voluntary and involuntary behavioral health in-patient treatment, forecasted bed need and current and planned statewide capacity for civil and forensic state hospital populations, short-term civil commitment capacity trends, and trends in prosecutorial forensic referrals. The study must also consider area provider admittance and refusal rates. The study must include:

(i) An analysis on the types of services which could be provided at the property, including but not limited to:

(A) Voluntary behavioral health treatment services, including diversion, prediversion, and specialty services for people with co-occurring conditions including substance use disorders, intellectual or developmental disabilities, traumatic brain disorders, or dementia;

(B) Services for patients that are deemed not guilty by reason of insanity;

(C) Integrated service approaches that address medical, housing, vocational, and other needs of behaviorally disabled individuals with criminal legal involvement or likelihood of criminal legal involvement;

(D) Long-term involuntary treatment services for specialized populations such as those with developmental disabilities or dementia;

(E) Short-term involuntary treatment services;

(F) Long-term involuntary treatment services for civil conversion patients;

(G) Out-patient intensive behavioral health treatment including partial hospitalization and intensive outpatient care;

(H) Crisis response services; and

(I) Other services that will increase the state's ability to comply with requirements for providing timely admission of competency restoration patients into treatment beds;

(ii) Review of potential for additional capacity or services on the entirety of the property, including any capital improvements needed to expand services under the options described in (a)(i) of this subsection;

(iii) Identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments;

(iv) Estimated costs, required staffing and workforce availability for each of the recommended types of services if available; and

(v) Consideration of options for providers that can provide the different services recommended at the facility and an analysis on the cost differential and potential federal reimbursement for the different providers. The office of financial management may consider a variety of provider types or partners, including, but not limited to:

(A) Tribal or local governments;

(B) Acute care hospitals already providing similar care;

(C) Providers contracted by the health care authority; and

(D) State-operated options.

(b) The office of financial management shall consult with the University of Washington school of medicine, the health care authority, and the department of social and health services in developing and conducting the study.

(c) The office of financial management shall submit a report with its findings and recommendations to the governor and the appropriate policy and fiscal committees of the legislature by June 30, 2025.

(d) The office of financial management may contract with one or more third parties and consult with other state entities to conduct the study. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(25)(a) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with a consultant to collect, review, and analyze data related to vehicular pursuits and to compile a report. The report must include recommendations to the legislature on what data should be collected by law enforcement agencies throughout the state so that the legislature and other policymakers have consistent and uniform information necessary to evaluate policies on vehicular pursuits. The contractor must gather input from individuals and families with lived experience interacting with law enforcement, including Black, indigenous, and communities of color, and incorporate this information into the report and recommendations. The report must:

(i) Review available data on vehicular pursuits from those agencies accredited by the Washington association of sheriffs and police chiefs, and review a stratified sample of nonaccredited agencies for as many years as their data have been collected, including:

(A) The date, time, location, maximum speed, and duration of the incident;

(B) The reason for initiating a pursuit;

(C) Whether the pursuing officer sought authorization for the pursuit, or only gave notice of the pursuit, and whether authorization for the pursuit was granted;

(D) Whether a supervisor denied authorization for the pursuit and the reason for the denial;

(E) The number of vehicles and officers involved in the pursuit;

(F) The number of law enforcement agencies involved in the pursuit;

(G) Whether pursuit intervention techniques were employed, and if so, which ones;

(H) Whether the pursuit was terminated at any point, and if so, the reason for termination;

(I) The officer's perception of the age, gender, race, ethnicity, or applicable tribal affiliation of the driver and any passengers of the motor vehicle being pursued;

(J) Whether the pursuit resulted in no action, termination, apprehension, warning, citation, arrest and grounds for the arrest, or other action;

(K) Whether the pursuit resulted in any property damage, injury, or death, and to whom and what, including law enforcement, drivers, passengers, and bystanders;

(L) Copies of reports, annual or other frequencies, used for internal review of pursuit statistics; and

(M) Whether the law enforcement agency has a record-keeping system for pursuits, and if so, what that system is, how long it has been in place, and whether the system and the data collected has changed over time;

(ii) Provide recommendations on what data elements law enforcement agencies should collect, in relation to the list identified in (a)(i) of this subsection, and provide rationale for the recommendations;

(iii) Develop a protocol for data collection by law enforcement agencies and provide a statement regarding the use of such data and the purpose for its collection and analysis;

(iv) Make the data readily available to the public using standard open data protocols;

(v) Recommend an entity to collect and manage this data on a statewide basis;

(vi) Review existing statewide police data reporting systems, including:

(A) The national incident based reporting system program, which is for the federal uniform crime reporting program;

(B) The Washington technology solutions police traffic collision reporting system, which is used for both state systems and the federal fatality analysis reporting system; and

(C) The statewide use of force data program established in RCW 10.118.030;

(vii) Assess the benefits and drawbacks of each of the existing systems in (a)(vi) of this subsection as a possible platform for collecting, reporting, and hosting pursuit open source downloadable data from agencies, and recommend whether any of these, or another system, would be most appropriate; and

(viii) Recommend any changes in state law to accomplish and facilitate the collection and analysis of the data, including whether to align or integrate the data collection with the use of force data under chapter 10.118 RCW.

(b) The report and recommendations are due to the governor and the appropriate committees of the legislature by June 30, 2025.

(26) \$500,000 of the general fund—state appropriation for fiscal year 2025 and \$1,500,000 of the climate commitment account—state appropriation are provided solely for the office to build a grant writing, tracking, and management database for state acquisition of federal funds, and to support development of state strategies for successfully bringing specific types of federal funding to Washington. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes of this subsection.

(27)(a) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of financial management to provide recommendations on the method and format for studying a transition to a department of housing. In developing the recommendations, previous efforts to establish new entities or programs should be considered, such as the office of equity task force, the social equity in cannabis task force, the blue ribbon commission on delivery of services to children and families, and methods used by other jurisdictions.

(b) The recommendations must include:

(i) Which entity should lead the study, such as an agency, a contractor, or a task force;

(ii) Which entities should consult and collaborate on the study, such as legislators, agencies, nonprofit organizations, businesses, and local jurisdictions;

(iii) Which programs across state agencies should be considered by the study for possible incorporation into a department of housing;

(iv) What housing types and financing structures should be identified and considered by the study;

(v) What gaps and barriers to establishing a department of housing should be identified and considered by the study; and

(vi) An estimate of the costs and possible timeline for the recommended method and format of the study.

(c) The recommendations are due to the governor and the appropriate policy and fiscal committees of the legislature by December 1, 2024.

Sec. 134. 2023 c 475 s 136 (uncodified) is amended to read

as follows:

FOR THE OFFICE OF ADMINISTRATIVE HEARINGS	
Administrative Hearings Revolving Account—State	
Appropriation	(\$72,194,000)
	\$76,474,000
Administrative Hearings Revolving Account—Local	
Appropriation	\$12,000
TOTAL APPROPRIATION	(\$72,206,000)
	\$76,486,000

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

(1) \$597,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(2) \$80,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5225 (working conn. child care). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$34,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$61,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$2,487,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5272 (speed safety cameras). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$16,000 of the administrative hearings revolving account—state appropriation is provided solely for implementation of Substitute House Bill No. 2061 (health employees/overtime). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 135. 2023 c 475 s 137 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE LOTTERY	
Lottery Administrative Account—State	
Appropriation	(\$32,896,000)
	\$32,948,000
TOTAL APPROPRIATION	(\$32,896,000)
	\$32,948,000

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

(1) No portion of this appropriation may be used for acquisition of gaming system capabilities that violate state law.

(2) Pursuant to RCW 67.70.040, the commission shall take such action necessary to reduce retail commissions to an average of 5.1 percent of sales.

Sec. 136. 2023 c 475 s 138 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON HISPANIC AFFAIRS	
General Fund—State Appropriation (FY 2024)	(\$1,494,000)
	\$1,493,000
General Fund—State Appropriation (FY 2025)	(\$1,347,000)
	\$1,389,000
TOTAL APPROPRIATION	(\$2,841,000)
	\$2,882,000

The appropriations in this section are subject to the following

conditions and limitations:

(1)(a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

(i) Conduct a detailed analysis of the opportunity gap for Hispanic and Latinx students;

(ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators as identified in the state's every student succeeds act consolidated plan; and

(iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

(2) \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to gang youth intervention specialists for a pilot program within high schools in Washington. Grants may be provided without using a competitive selection process.

Sec. 137. 2023 c 475 s 139 (uncodified) is amended to read as follows:

FOR THE COMMISSION ON AFRICAN-AMERICAN AFFAIRS

General Fund—State Appropriation (FY 2024).....	\$660,000
General Fund—State Appropriation (FY 2025)....	(\$662,000)
	<u>\$679,000</u>
TOTAL APPROPRIATION.....	(\$1,322,000)
	<u>\$1,339,000</u>

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

(1)(a) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to engage a contractor to:

(i) Conduct a detailed analysis of the opportunity gap for African American and Black students;

(ii) Develop recommendations for continuing efforts to close the educational opportunity gap while meeting the state's academic achievement indicators, as identified in the state's every student succeeds act consolidated plan; and

(iii) Identify performance measures to monitor adequate yearly progress.

(b) The contractor shall submit a study update by December 1, 2024, and submit a final report by June 30, 2025, to the educational opportunity gap oversight and accountability committee, the governor, the superintendent of public instruction, the state board of education, and the education committees of the legislature.

Sec. 138. 2023 c 475 s 140 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS

General Fund—State Appropriation (FY 2024).....	\$387,000
Department of Retirement Systems Expense Account— State Appropriation.....	(\$115,088,000)
	<u>\$117,209,000</u>
TOTAL APPROPRIATION.....	(\$115,475,000)
	<u>\$117,596,000</u>

The appropriation in this section is subject to the following

conditions and limitations:

(1) \$34,491,000 of the department of retirement systems expense account—state appropriation is provided solely for pension system modernization, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$143,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute House Bill No. 1007 (military service credits). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$1,172,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5538 (postretirement nursing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$1,058,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute House Bill No. 1056 (postretirement employment). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$199,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of House Bill No. 1055 (public safety telecommunications). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$536,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of House Bill No. 1481 (tribal peace officers/LEOFF). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(7) \$116,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/PSERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(8) \$265,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6197 (LEOFF plan 2 provisions). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(9) \$36,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 2014 (definition of a veteran). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(10) \$99,000 of the department of retirement systems expense account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5424 (flexible work/peace officers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 139. 2023 c 475 s 141 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE			
General Fund—State Appropriation (FY 2024)			
.....	(\$427,926,000)		
		<u>\$358,141,000</u>	
General Fund—State Appropriation (FY 2025)			
.....	(\$436,344,000)		
		<u>\$398,865,000</u>	
Climate Commitment Account—State Appropriation	\$895,000		
Timber Tax Distribution Account—State Appropriation			
.....	(\$8,095,000)		
		<u>\$8,136,000</u>	
Business License Account—State Appropriation			
.....	(\$19,774,000)		

	<u>\$19,886,000</u>
Waste Reduction, Recycling, and Litter Control Account—State Appropriation	\$183,000
Model Toxics Control Operating Account—State Appropriation.....	\$127,000
Financial Services Regulation Account—State Appropriation.....	\$5,000,000
TOTAL APPROPRIATION.....	(\$898,344,000) <u>\$791,233,000</u>

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

(1) \$1,669,000 of the general fund—state appropriation for fiscal year 2024 and \$1,661,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 196, Laws of 2021 (capital gains tax).

(2) ~~(\$251,639,000)~~ \$181,639,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$263,768,000)~~ \$221,768,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 195, Laws of 2021 (working families tax exempt.). Of the total amounts provided in this subsection:

(a) \$16,639,000 of the general fund—state appropriation for fiscal year 2024 and \$15,768,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administration of the working families tax exemption program; and

(b) ~~(\$235,000,000)~~ \$165,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$248,000,000)~~ \$206,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for remittances under the working families tax exemption program.

(3) \$2,408,000 of the general fund—state appropriation for fiscal year 2024, \$780,000 of the general fund—state appropriation for fiscal year 2025, and \$895,000 of the climate commitment account—state appropriation are provided solely for the department to implement 2023 revenue legislation.

(4) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to develop an implementation plan for an online searchable database of all taxes and tax rates in the state for each taxing district. A report summarizing options, estimated costs, and timelines to implement each option must be submitted to the appropriate committees of the legislature by June 30, 2024. The implementation plan must include an array of options, including low cost options that may change the scope of the database. However, each low cost option must still provide ease of public access to state and local tax information that is currently difficult for the public to collect and efficiently navigate.

(5) \$19,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of House Bill No. 1303 (property tax administration). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$3,639,000 of the general fund—state appropriation for fiscal year 2024 and \$3,582,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1477 (working families' tax credit). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(7) \$48,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(8) \$31,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute

Senate Bill No. 5565 (tax and revenue laws). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9)(a) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to research and analyze wealth taxes imposed in other countries and wealth tax legislation recently proposed by other states and the United States. At a minimum, the department must examine how existing and proposed wealth taxes are structured, compliance and administrative challenges of wealth taxes, best practices in the design and administration of wealth taxes, and potential data sources to aid the department in estimating the revenue impacts of future wealth tax proposals for this state or assisting the department in the administration of a wealth tax. As part of its examination and analysis, the department must seek to consult with relevant subject matter experts from within and outside of the United States.

(b) The department may contract with one or more institutions of higher education as defined in RCW 28B.10.016 for assistance in carrying out its obligations under this subsection.

(c) The department must submit a status report to the appropriate fiscal committees of the legislature by January 1, 2024, and a final report to the appropriate fiscal committees of the legislature by November 1, 2024. The final report must include the department's findings.

(10) \$42,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5448 (delivery of alcohol). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to study how to collect race and ethnicity information from organizations or entities that receive tax preferences, as defined in RCW 43.136.021.

(a) The department may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(b) The department must submit a report to appropriate committees of the legislature by June 30, 2025. The report must include cost and timeline estimates for collecting the race and ethnicity information. The department must consult with the office of equity to ensure that data collection is consistent with other efforts. The report must also include, but is not limited to, the following information:

(i) The cost and time required for the department to revise current reporting requirements to include race and ethnicity data;

(ii) The cost and time required for the department to incorporate the collection of race and ethnicity data into future reporting;

(iii) The cost and time required for the department to incorporate the collection of race and ethnicity data into its existing information technology systems;

(iv) Recommendations on any exclusions from the requirement to report race and ethnicity data; and

(v) Any statutory changes necessary to collect race and ethnicity data.

(12) \$181,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to support the underground economy task force created in section 906 of this act.

(13) \$274,000 of the general fund—state appropriation for fiscal year 2024 and \$217,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement 2024 revenue legislation.

(14) \$4,000 of the business license account—state appropriation is provided solely for implementation of Engrossed

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Substitute Senate Bill No. 5897 (business license services). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(15)(a) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct a study and provide a report to the legislature on royalty receipts apportionment for local business taxes throughout the state. The study must:

(i) Examine how gross income derived as royalties from the granting of intangible rights in RCW 35.102.130 could be apportioned uniformly by local jurisdictions. The department must consider apportionment options described in RCW 82.04.462(3)(b) (i) through (vii) as well as other options; and

(ii) Identify issues surrounding the definition of "customer" as applied to royalties and payments made or received for the use of the taxpayer's intangible property in RCW 35.102.130, and how it could be brought into conformity with the definition in RCW 82.04.462(3)(b)(viii) and applied uniformly throughout the state.

(b) The study must document and evaluate the approaches to apportionment of royalties that have been adopted in other states and examine the administrative feasibility of applying interstate apportionment methodologies to local business taxes. The department must submit a report on the study and any findings and recommendations to the governor and the appropriate policy and fiscal committees of the legislature by December 31, 2024.

(16) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct outreach activities for the working families' tax credit established in RCW 82.08.0206, including but not limited to grants for community-based organizations to conduct outreach activities, marketing activities, and establishing a mobile unit.

Sec. 140. 2023 c 475 s 142 (uncodified) is amended to read as follows:

FOR THE BOARD OF TAX APPEALS

General Fund—State Appropriation (FY 2024).	(\$2,810,000)
	<u>\$2,809,000</u>
General Fund—State Appropriation (FY 2025).	(\$2,808,000)
	<u>\$2,908,000</u>
TOTAL APPROPRIATION.....	(\$5,618,000)
	<u>\$5,717,000</u>

Sec. 141. 2023 c 475 s 143 (uncodified) is amended to read as follows:

FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

General Fund—State Appropriation (FY 2024).....	\$3,837,000
General Fund—State Appropriation (FY 2025).	(\$3,799,000)
	<u>\$6,382,000</u>
Minority and Women's Business Enterprises Account— State Appropriation.....	(\$6,062,000)
	<u>\$6,113,000</u>
TOTAL APPROPRIATION.....	(\$13,698,000)
	<u>\$16,332,000</u>

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

(1) The office of minority and women's business enterprises shall consult with the Washington state office of equity on the Washington state toolkit for equity in public spending.

(2) \$540,000 of the general fund—state appropriation for fiscal year 2024 and \$529,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(3) \$151,000 of the general fund—state appropriation for fiscal year 2024 and \$151,000 of the general fund—state appropriation

for fiscal year 2025 are provided solely for a policy analyst position.

(4) \$941,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to expand its outreach and communications department.

Sec. 142. 2023 c 475 s 144 (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

General Fund—Federal Appropriation.....	\$4,723,000
Insurance Commissioner's Regulatory Account—State Appropriation	(\$79,157,000)
	<u>\$82,830,000</u>
Insurance Commissioner's Fraud Account—State Appropriation	(\$4,269,000)
	<u>\$4,284,000</u>
TOTAL APPROPRIATION	(\$88,149,000)
	<u>\$91,837,000</u>

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

(1) \$52,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5242 (abortion cost sharing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(2) \$63,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of House Bill No. 1120 (annuity transactions). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$72,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5036 (audio-only telemedicine). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$55,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5300 (behavioral health continuity). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$19,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$52,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5396 (breast exam cost sharing). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(7) \$260,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 87, Laws of 2023 (SSB 5338).

(8) \$1,206,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5066 (health care benefit managers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$9,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 16, Laws of 2023 (SSB 5729).

(10) \$272,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5581 (maternal support services). ~~((If the bill is not enacted by June 30, 2023, the~~

~~amount provided in this subsection shall lapse.))~~

(11) \$237,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 42, Laws of 2023 (SB 5319).

(12) \$25,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5720 (risk mitigation). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(13)(a) ~~(((\$500,000))~~ \$700,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner, in collaboration with the office of the attorney general, to study approaches to improve health care affordability including, but not limited to:

(i) Health provider price or rate regulation policies or programs, other than traditional health plan rate review, in use or under consideration in other states to increase affordability for health insurance purchasers and enrollees. At a minimum, this shall include:

(A) Analysis of payment rate or payment rate increase caps and reference pricing strategies;

(B) Analysis of research or other findings related to the outcomes of the policy or program, including experience in other states;

(C) A preliminary analysis of the regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state;

(D) Analysis of such approaches used in Washington state, including but not limited to the operation of the hospital commission, formerly established under chapter 70.39 RCW; and

(E) A feasibility analysis of implementing a global hospital budget strategy in one or more counties or regions in Washington state, including potential impacts on spending and access to health care services if such a strategy were adopted;

(ii) Regulatory approaches in use or under consideration by other states to address any anticompetitive impacts of horizontal consolidation and vertical integration in the health care marketplace to supplement federal antitrust law. At a minimum, this regulatory review shall include:

(A) Analysis of research, case law, or other findings related to the outcomes of the state's activities to encourage competition, including implementation experience;

(B) A preliminary analysis of regulatory authority and administrative capacity necessary to implement each policy or program reviewed in Washington state; and

(C) Analysis of recent health care consolidation and vertical consolidation activity in Washington state, to the extent information is available;

(iii) Recommended actions based on other state approaches and Washington data, if any; and

(iv) Additional related areas of data or study needed, if any.

(b) The office of the insurance commissioner or office of the attorney general may contract with third parties and consult with other state entities to conduct all or any portion of the study.

(c) The office of the insurance commissioner and office of the attorney general shall submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 1, 2023, and a final report by August 1, 2024.

(14) \$190,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 27, Laws of 2023 (SHB 1266).

(15) \$66,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1222 (hearing instruments coverage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(16) \$25,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of chapter 21, Laws of 2023 (HB 1061).

(17) \$14,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute House Bill No. 1060 (mutual insurer reorg.). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$132,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1357 (prior authorization). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19)(a) ~~(((\$250,000))~~ \$50,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for an analysis of how health plans define, cover, and reimburse for maternity care services, including prenatal, delivery, and postpartum care. The commissioner shall:

(i) Obtain necessary information regarding health plans offered by carriers with more than one percent accident and health market share based upon the commissioner's most recent annual market information report and health plans offered to public employees under chapter 41.05 RCW to evaluate:

(A) How health plan benefit designs define maternity care services;

(B) Whether and to what extent maternity care services are subject to deductibles and other cost-sharing requirements;

(C) Which maternity care services are considered preventive services under section 2713 of the federal public health service act and are therefore exempt from cost sharing;

(D) The five most used maternity care reimbursement methodologies used by each carrier; and

(E) With respect to reimbursement methodologies that bundle payment for maternity care services, which specific services are included in the bundled payment;

(ii) Estimate the total and per member per month impact on health plan rates of eliminating cost sharing for maternity care services in full, or for prenatal care only, for the following markets:

(A) Individual health plans other than Cascade select plans;

(B) Cascade select health plans;

(C) Small group health plans;

(D) Large group health plans;

(E) Health plans offered to public employees under chapter 41.05 RCW; and

(F) All health plans in the aggregate; and

(iii) Submit a report on the findings and cost estimate to the appropriate committees of the legislature by July 1, 2024.

(b) The commissioner may contract for all or a portion of the analysis required in this subsection.

(20) \$86,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Senate Bill No. 5821 (audio-only telemedicine). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(21) \$549,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5986 (out-of-network health costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(22) \$228,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5936 (palliative care work group). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(23) \$195,000 of the insurance commissioner's regulatory

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account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(24) \$175,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5213 (health care benefit managers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(25) \$12,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6127 (HIV prophylaxis). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(26) \$578,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner to continue its work on behavioral health parity compliance, enforcement, and provider network oversight. The commissioner may use internal staff and contracted experts to oversee provider directories and evaluate consumer access to services for mental health and substance use disorders in state-regulated individual, small group, and large group health plans.

(27)(a) \$250,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner, in consultation with the department of social and health services and the health care authority, to submit to the relevant policy and fiscal committees of the legislature by June 30, 2025, a feasibility analysis of expanding or modifying the program described in section 204(48) of this act to include additional groups of essential workers whose employers receive significant public funding to provide direct services to vulnerable populations, including but not limited to behavioral health services, housing and homelessness services, and child care workers. The evaluation must consider:

(i) Current sources, benefits, and costs of health care coverage for these essential workers including but not limited to employer-sponsored coverage, medicaid, and individual health plans purchased through the health benefit exchange;

(ii) Policy options to increase health care benefit funding to employers of these essential workers, including maximizing nongeneral fund state sources while ensuring costs are not shifted to employees;

(iii) The appropriate structure and oversight of the newly established health benefits fund, including the use of fully insured health coverage, a self-funded multiemployer welfare arrangement, the health benefit exchange, or another entity to offer health benefits comparable to the platinum metal level under the affordable care act, and meet defined plan design, consumer protection, and solvency requirements.

(b) The commissioner must consult with interested organizations and may establish subgroups to conduct this work based on distinct industries of different essential workers.

(c) The commissioner may contract with third parties and consult with other state entities to conduct all or any portion of the study, including actuarial analysis.

(28)(a) \$400,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner to convene and chair an adult family home liability insurance work group. The work group shall consist of members with a representative from, but not limited to:

(i) The office of the attorney general;

(ii) The office of the governor;

(iii) The adult family home industry;

(iv) The Washington state long-term care ombudsman;

(v) The department of social and health services' aging and

long-term support administration's residential care services;

(v) The department of social and health services' aging and long-term support administration's home and community services;

(vi) The department of social and health service's aging and long-term support administration's developmental disability administration;

(vii) Insurance producers;

(viii) Insurance underwriters;

(ix) The Washington surplus line association;

(x) Risk retention groups; and

(xi) Other state agency representatives or stakeholder group representatives, as deemed necessary.

(b) The work group shall:

(i) Review the availability and cost of liability insurance for adult family homes;

(ii) Identify obstacles to adult family homes access to liability insurance including underwriting restrictions, market conditions, as well as legal and regulatory requirements;

(iii) Evaluate the financial risk to adult family homes, their residents, the state medicaid program, and others that exist as a result of the increased cost of insurance, or in the event adult family homes are uninsured due to a lack of access to coverage; and

(iv) Make policy recommendations to improve access to liability insurance coverage for adult family homes.

(c) The work group must submit a preliminary report to the relevant policy and fiscal committees of the legislature by December 31, 2024, and a final report by June 30, 2025, with review findings, recommendations, and data on claims experience, costing, and policy or budget underwriting restrictions related to liability policies covering adult family homes.

(d) The commissioner shall collect the information required from entities transacting insurance with adult family home providers. Any identified authorized insurers, unauthorized insurers, and risk retention groups are required to provide the requested information to the commissioner.

(e) The commissioner may contract with a vendor to conduct an actuarial analysis if necessary to facilitate the development of recommendations concerning liability insurance in adult family homes.

(29)(a) \$350,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for the commissioner to study approaches to increasing the availability of health care malpractice liability coverage or other liability protection options for community-based health care providers delivering transition of care services to incarcerated individuals. The commissioner must provide an initial report to the office of financial management and appropriate committees of the legislature by December 31, 2024. The study must include:

(i) A review of the state's commitments to facilitating safe transitions of care for incarcerated individuals through medicaid coverage of health services under the 2023 medicaid transformation waiver;

(ii) An analysis of the barriers to accessing liability coverage for community-based health care providers on the private market;

(iii) An actuarial analysis of the potential risk to be incurred by providing health care malpractice liability coverage for transition of care services to individuals who are incarcerated and near release; and

(iv) Policy options and recommendations, if any, for consideration by the legislature regarding provision of or increasing the availability of health care malpractice liability coverage or other liability protection options for community-

based health care providers delivering these services.

(b) In conducting this study, the commissioner shall convene interested organizations including but not limited to representatives of:

- (i) The office of the attorney general;
- (ii) The health care authority;
- (iii) The department of corrections;
- (iv) The department of enterprise services' office of risk management;
- (v) The Washington association of sheriffs and police chiefs;
- (vi) Local governments;
- (vii) Medical malpractice liability underwriters; and
- (viii) Community-based health care providers, including but not limited to representatives of federally qualified health centers and providers of health care services in incarceration settings.

(c) The commissioner may contract for actuarial or other analysis if necessary to facilitate development of the study or policy options.

(30) \$315,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute House Bill No. 2329 (insurance market/housing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(31) \$49,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1957 (preventive service coverage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(32) \$84,000 of the insurance commissioner's regulatory account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5798 (insurance notices). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 143. 2023 c 475 s 145 (uncodified) is amended to read as follows:

FOR THE STATE INVESTMENT BOARD

State Investment Board Expense Account—State	
Appropriation.....	(\$83,426,000)
	\$83,613,000
TOTAL APPROPRIATION.....	(\$83,426,000)
	\$83,613,000

The appropriation in this section is subject to the following conditions and limitations: \$41,000 of the state investment board expense account—state appropriation is provided solely for implementation of Senate Bill No. 5084 (self-insured pensions/fund). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

Sec. 144. 2023 c 475 s 146 (uncodified) is amended to read as follows:

FOR THE LIQUOR AND CANNABIS BOARD

General Fund—State Appropriation (FY 2024).	(\$2,383,000)
	\$2,501,000
General Fund—State Appropriation (FY 2025)....	(\$850,000)
	\$1,545,000
General Fund—Federal Appropriation	\$3,187,000
General Fund—Private/Local Appropriation.....	\$75,000
Dedicated Cannabis Account—State Appropriation (FY 2024)	\$13,481,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	(\$14,041,000)
	\$14,055,000
Liquor Revolving Account—State Appropriation	(\$124,765,000)
	\$126,281,000
TOTAL APPROPRIATION.....	(\$158,782,000)
	\$161,125,000

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

(1) The liquor and cannabis board may require electronic payment of the cannabis excise tax levied by RCW 69.50.535. The liquor and cannabis board may allow a waiver to the electronic payment requirement for good cause as provided by rule.

(2) Of the liquor revolving account—state appropriation, \$35,278,000 is provided solely for the modernization of regulatory systems and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(3) \$1,526,000 of the liquor revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5448 (delivery of alcohol). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$42,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$42,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin).

(5) \$250,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$159,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5367 (products containing THC).

(6) ~~(\$1,527,000)~~ \$1,622,000 of the general fund—state appropriation for fiscal year 2024, ~~\$357,000 of the general fund—state appropriation for fiscal year 2025,~~ \$2,255,000 of the dedicated cannabis account—state appropriation for fiscal year 2024, and \$1,463,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5080 (cannabis social equity).

(7) \$35,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the liquor and cannabis board to conduct an agency analysis of commercial tobacco and vaping enforcement actions from fiscal year 2018 through fiscal year 2022 involving youth under the age of 18. This analysis shall be submitted to the appropriate committees of the legislature by December 1, 2023, and must include:

- (a) The total number of such interactions by fiscal year;
- (b) Information on the nature of those interactions;
- (c) How many interactions convert to administrative violation notices (AVNs);
- (d) How many of those interactions and AVNs convert to retailer education and violations; and
- (e) Descriptions of training for liquor and cannabis board officers, and the number of officers trained on interacting with youth, particularly LGBTQ youth and youth of color.

(8) \$4,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5365 (vapor and tobacco/minors). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$225,000 of the liquor revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1731 (short-term rentals/liquor). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$99,000 of the liquor revolving account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). ~~If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.~~

(11) \$245,000 of the general fund—state appropriation for

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fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5376 (cannabis waste). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

~~the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~

(12) \$63,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2320 (high THC cannabis products). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(5) \$57,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1329 (utility shutoffs/heat). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(13) \$136,000 of the liquor revolving account—state appropriation is provided solely for implementation of House Bill No. 2204 (emergency liquor permits). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(6) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(14) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1453 (medical cannabis/tax). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(7) \$497,000 of the public service revolving account—state appropriation is provided solely for staff to advance the state's objectives for better transmission planning, organized electric power markets or similar regional power coordination, and expanded regional and interregional transmission capacity.

(15) \$75,000 of the liquor revolving account—state appropriation is provided solely for reviewing all the Washington Administrative Code provisions promulgated by the board for potentially discriminatory language or interpretation that may highlight personal bias. The board must issue a report to the legislature on its findings by September 30, 2024.

(8)(a) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to report to the legislature with information and recommendations for updating the statutes pertaining to the universal communications services program as described in chapter 80.36 RCW. The report must include:

Sec. 145. 2023 c 475 s 147 (uncodified) is amended to read as follows:

(i) How the program has been utilized and audited since fiscal year 2022;

FOR THE UTILITIES AND TRANSPORTATION COMMISSION

(ii) The most efficient and cost-effective technologies available to meet the state's broadband goals in rural areas;

General Fund—State Appropriation (FY 2024)..... \$1,201,000
General Fund—State Appropriation (FY 2025).(~~(\$1,201,000)~~)
\$1,276,000

(iii) The ways in which this program can work with the Washington state broadband office to ensure that appropriations for this program are additive and not duplicative to the office's broadband goals and how new technologies would help meet those goals;

Public Service Revolving Account—State Appropriation
.....(~~(\$65,664,000)~~)
\$66,445,000

(iv) The ways in which these dollars have been used to leverage federal funding;

Public Service Revolving Account—Federal
Appropriation..... \$100,000
Pipeline Safety Account—State Appropriation .(~~(\$3,769,000)~~)
\$3,789,000

(v) A list of other sources of state and federal funding that are available to maintain and repair existing broadband infrastructure;

Pipeline Safety Account—Federal Appropriation .. \$3,404,000
TOTAL APPROPRIATION.....(~~(\$75,339,000)~~)
\$76,215,000

(vi) How changes to the federal universal services fund could impact the provision of telecommunications services in Washington state; and

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

(vii) Any additional relevant information regarding the benefits of continuing this program that would be helpful for future appropriation decisions.

(1) Up to \$800,000 of the public service revolving account—state appropriation in this section is for the utilities and transportation commission to supplement funds committed by a telecommunications company to expand rural broadband service on behalf of an eligible governmental entity. The amount in this subsection represents payments collected by the utilities and transportation commission pursuant to the Qwest performance assurance plan.

(b) The report is due to the appropriate committees of the legislature in accordance with RCW 43.01.036 by December 1, 2024.

(2) \$43,000 of the public service revolving account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5165 (electric transm. planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$62,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2131 (thermal energy networks). If the bill is not enacted by June 30, 2024, the amount in this subsection shall lapse.

(3) \$100,000 of the public service revolving account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

Sec. 146. 2023 c 475 s 148 (uncodified) is amended to read as follows:

(4) \$67,000 of the public service revolving account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If~~

FOR THE MILITARY DEPARTMENT

General Fund—State Appropriation (FY 2024)	
.....	((\$16,490,000))
	\$16,720,000
General Fund—State Appropriation (FY 2025)	
.....	((\$16,446,000))
	\$19,489,000
General Fund—Federal Appropriation.....	((\$146,122,000))
	\$146,290,000
911 Account—State Appropriation.....	\$54,306,000
Disaster Response Account—State Appropriation	
.....	((\$59,466,000))
	\$62,179,000

Disaster Response Account—Federal Appropriation	.....	.....	.....
			(\$1,184,618,000)
			<u>\$1,905,453,000</u>
Military Department Rent and Lease Account—State Appropriation	.....		\$1,009,000
Military Department Active State Service Account—State Appropriation	.....		\$400,000
Natural Climate Solutions Account—State Appropriation	.....		\$113,000
Oil Spill Prevention Account—State Appropriation	.....		\$1,040,000
Worker and Community Right to Know Fund—State Appropriation	.....		(\$2,042,000)
			<u>\$2,041,000</u>
TOTAL APPROPRIATION	.....		(\$1,482,052,000)
			<u>\$2,209,040,000</u>

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

(1) The military department shall submit a report to the office of financial management and the legislative fiscal committees by February 1st and October 31st of each year detailing information on the disaster response account, including: (a) The amount and type of deposits into the account; (b) the current available fund balance as of the reporting date; and (c) the projected fund balance at the end of the 2023-2025 fiscal biennium based on current revenue and expenditure patterns.

(2) \$40,000,000 of the general fund—federal appropriation is provided solely for homeland security, subject to the following conditions: Any communications equipment purchased by local jurisdictions or state agencies shall be consistent with standards set by the Washington state interoperability executive committee.

(3) \$11,000,000 of the 911 account—state appropriation is provided solely for financial assistance to counties.

(4) \$784,000 of the disaster response account—state appropriation is provided solely for fire suppression training, equipment, and supporting costs to national guard soldiers and airmen.

~~(5) (\$386,000 of the military department rental and lease account—state appropriation is provided solely for maintenance staff.~~

~~(6))~~ (6) \$876,000 of the disaster response account—state appropriation is provided solely for a dedicated access and functional needs program manager, access and functional need services, and a dedicated tribal liaison to assist with disaster preparedness and response.

~~((7))~~ (7) \$136,000 of the general fund—state appropriation for fiscal year 2024 and \$132,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5518 (cybersecurity). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(8))~~ (8) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to Whatcom county for disaster relief and recovery activities in response to the November 2021 flooding and mudslides presidentially-declared disaster.

~~((9))~~ (9) \$625,000 of the general fund—state appropriation for fiscal year 2024 and \$625,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1728 (statewide resiliency program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(10))~~ (10) \$113,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate

response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((11))~~ (11) (a) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to administer grants to local governments and federally recognized tribes for costs to respond to community needs during periods of extremely hot or cold weather or in situations of severe poor air quality from wildfire smoke.

(b) To qualify for a grant under (a) of this subsection, a local government or federally recognized tribe must:

(i) Be located in a geographic area where vulnerable populations face combined, multiple environmental harms and health impacts, as determined by the department;

(ii) Have demonstrated a lack of local resources to address community needs; and

(iii) Have incurred eligible costs as described in (c) of this subsection for the benefit of vulnerable populations.

(c) Costs eligible for reimbursement under (a) of this subsection include:

(i) Establishing and operating warming and cooling centers, including rental of equipment, purchase of supplies and water, staffing, and other associated costs;

(ii) Transporting individuals and their pets to warming and cooling centers;

(iii) Purchasing fans or other supplies needed for cooling of congregate living settings;

(iv) Providing emergency temporary housing such as rental of a hotel or convention center;

(v) Retrofitting or establishing facilities within warming and cooling centers that are pet friendly in order to permit individuals to evacuate with their pets; and

(vi) Other activities necessary for life safety during a period of extremely hot or cold weather or in situations of severe poor air quality from wildfire smoke, as determined by the department.

~~((12))~~ (12) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(12) \$23,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5803 (national guard recruitment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2020 (public infra. assistance prg.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(14) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1012 (extreme weather events). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(15)(a) \$361,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct a study regarding statewide building code and construction standards pertaining to earthquake and tsunami resilience as well as recommendations for functional recovery of buildings and critical infrastructure directly following an earthquake. In conducting the study, the department must request input from the state building code council and representatives of appropriate public and private sector entities. The department may contract for all or a portion of the study. The study must, at a minimum, include an assessment of:

(i) Functional recovery building code standards that are being developed at the federal level, have been proposed or adopted in

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other countries, states, or local jurisdictions with a high risk of earthquakes, or are developed by public or private organizations with expertise in earthquake performance standards and safety;

(ii) The levels of functional recovery supported by current state and local building and construction codes;

(iii) The objectives, feasibility, necessary measures, and estimated costs of adopting and implementing statewide functional recovery building code standards, and how this assessment is impacted by whether the standards:

(A) Are mandatory or voluntary;

(B) Apply to only certain types of structures and infrastructure or prioritize certain types of structures and infrastructure;

(C) Apply to existing structures and infrastructure in addition to new construction;

(D) Are intended to apply to only specific seismic hazard levels; or

(E) Include nonstructural components as well as structural systems;

(iv) How statewide standards for functional recovery would fit into an all hazards approach for state emergency response and recovery;

(v) Funding opportunities that provide for the coordination of state and federal funds for the purposes of improving the state's preparedness for functional recovery following a significant earthquake or tsunami; and

(vi) Equity considerations for the development of statewide building code standards for functional recovery.

(b) The department must submit a preliminary report with interim findings to the appropriate committees of the legislature by June 1, 2025. The department must submit a final report summarizing the study's findings and including policy recommendations relating to statewide building code standards for functional recovery to the appropriate committees of the legislature by May 1, 2026. It is the intent of the legislature to provide funding to complete the final report in the 2025-2027 fiscal biennium.

Sec. 147. 2023 c 475 s 149 (uncodified) is amended to read as follows:

FOR THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

General Fund—State Appropriation (FY 2024).	(\$2,594,000)
	\$2,592,000
General Fund—State Appropriation (FY 2025).	(\$2,625,000)
	\$2,796,000
Personnel Service Account—State Appropriation	(\$4,825,000)
	\$4,850,000
Higher Education Personnel Services Account—State Appropriation	(\$1,629,000)
	\$1,632,000
TOTAL APPROPRIATION	(\$11,673,000)
	\$11,870,000

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

(1) \$98,000 of the higher education personnel services account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~(If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~

(2) \$140,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6194 (legislative employee bargaining). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 148. 2023 c 475 s 150 (uncodified) is amended to read

as follows:

FOR THE BOARD OF ACCOUNTANCY

Certified Public Accountants' Account—State	
Appropriation	(\$4,770,000)
	\$5,188,000
TOTAL APPROPRIATION	(\$4,770,000)
	\$5,188,000

Sec. 149. 2023 c 475 s 151 (uncodified) is amended to read as follows:

FOR THE BOARD FOR VOLUNTEER FIREFIGHTERS

Volunteer Firefighters' and Reserve Officers' Administrative Account—State Appropriation	(\$3,533,000)
	\$3,679,000
TOTAL APPROPRIATION	(\$3,533,000)
	\$3,679,000

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

~~(\$1,128,000)~~ (1) \$2,403,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for a benefits management system, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$91,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for contracting for small agency budget and accounting services with the department of enterprise services.

(3) \$50,000 of the volunteer firefighters' and reserve officers' administrative account—state appropriation is provided solely for the board to conduct a study on the extension of duty-related occupational disease presumptions to participants in the volunteer firefighters' relief and pension system. The study must examine the presumptions in RCW 51.32.185, and report to the fiscal committees of the legislature by June 30, 2025, on the prevalence of these conditions among volunteer firefighters, and the fiscal impact of extending additional relief and pension benefits to participants.

Sec. 150. 2023 c 475 s 152 (uncodified) is amended to read as follows:

FOR THE FORENSIC INVESTIGATION COUNCIL

Death Investigations Account—State Appropriation	(\$822,000)
	\$821,000
TOTAL APPROPRIATION	(\$822,000)
	\$821,000

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

(1)(a) \$250,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in multiple death investigations. The forensic investigation council shall develop criteria for awarding these funds for multiple death investigations involving an unanticipated, extraordinary, and catastrophic event or those involving multiple jurisdictions.

(b) Of the amount provided in this subsection, \$30,000 of the death investigations account—state appropriation is provided solely for the Adams county crime lab to investigate a double homicide that occurred in fiscal year 2021.

(2) \$210,000 of the death investigations account—state appropriation is provided solely for providing financial assistance to local jurisdictions in identifying human remains.

(3) Within the amount appropriated in this section, the forensic investigation council may enter into an interagency agreement with the department of enterprise services for the department to provide services related to public records requests, to include responding to, or assisting the council in responding to, public

disclosure requests received by the council.

Sec. 151. 2023 c 475 s 153 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

General Fund—State Appropriation (FY 2024)	(\$14,819,000)
	<u>\$15,236,000</u>
General Fund—State Appropriation (FY 2025)	(\$13,426,000)
	<u>\$14,748,000</u>
General Fund—Private/Local Appropriation	\$102,000
Building Code Council Account—State Appropriation	(\$2,583,000)
	<u>\$2,585,000</u>
<u>Climate Commitment Account—State Appropriation</u>	<u>\$750,000</u>
Electric Vehicle Incentive Account—State Appropriation	\$1,722,000
Natural Climate Solutions Account—State Appropriation	\$7,000,000
TOTAL APPROPRIATION	(\$39,652,000)
	<u>\$42,143,000</u>

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

(1) (~~\$6,970,000~~) \$7,017,000 of the general fund—state appropriation for fiscal year 2024 and (~~\$6,894,000~~) \$7,039,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the payment of facilities and services charges to include campus rent, parking, security, contracts, public and historic facilities, financial cost recovery, and capital projects surcharges allocable to the senate, house of representatives, statute law committee, legislative support services, and joint legislative systems committee. The department shall allocate charges attributable to these agencies among the affected revolving funds. The department shall maintain an interagency agreement with these agencies to establish performance standards, prioritization of preservation and capital improvement projects, and quality assurance provisions for the delivery of services under this subsection. The legislative agencies named in this subsection shall continue to have all of the same rights of occupancy and space use on the capitol campus as historically established.

(2) Before any agency may purchase a passenger motor vehicle as defined in RCW 43.19.560, the agency must have approval from the director of the department of enterprise services. Agencies that are exempted from the requirement are the Washington state patrol, Washington state department of transportation, and the department of natural resources.

(3) From the fee charged to master contract vendors, the department shall transfer to the office of minority and women's business enterprises in equal monthly installments \$1,500,000 in fiscal year 2024 and \$1,300,000 in fiscal year 2025.

(4) Within existing resources, the department, in collaboration with consolidated technology services, must provide a report to the governor and fiscal committees of the legislative by October 31 of each calendar year that reflects information technology contract information based on a contract snapshot from June 30 of that same calendar year, and must also include any contract that was active since July 1 of the previous calendar year. The department will coordinate to receive contract information for all contracts to include those where the department has delegated authority so that the report includes statewide contract information. The report must contain a list of all information technology contracts to include the agency name, contract number, vendor name, contract term start and end dates, contract dollar amount in total, and contract dollar amounts by state fiscal

year. The report must also include, by contract, the contract spending projections by state fiscal year for each ensuing state fiscal year through the contract term, and note the type of service delivered. The list of contracts must be provided electronically in Excel and be sortable by all field requirements. The report must also include trend analytics on information technology contracts, and recommendations for reducing costs where possible.

(5) \$654,000 of the general fund—state appropriation for fiscal year 2024 and \$654,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in collaboration with the state efficiency and environmental performance program, to implement the zero emission vehicle strategy.

(6) \$2,671,000 of the general fund—state appropriation for fiscal year 2024 and \$2,671,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for zero emission electric vehicle supply equipment infrastructure at facilities to accommodate charging station installation. The electric vehicle charging equipment must allow for the collection of usage data and must be coordinated with the state efficiency and environmental performance program. The department must prioritize locations based on state efficiency and environmental performance location priorities, and at least where zero emission fleet vehicles are or are scheduled to be purchased. The department must report when and where the equipment was installed, usage data at each charging station, and the state agencies and facilities that benefit from the installation of the charging station to the fiscal committees of the legislature by June 30. The department shall collaborate with the interagency electric vehicle coordinating council to implement this subsection and must work to meet benchmarks established in chapter 182, Laws of 2022 (transportation resources).

(7) \$200,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5491 (residential building exits). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

~~(9))~~ (8) \$950,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for security enhancements to the governor's office lobby space and for security enhancement design for the remaining lobby and public spaces in the legislative building on the capitol campus. Enhancement designs must be provided to the senate committee on state government and elections and the house of representatives committee on state government and tribal relations no later than (~~December 31, 2023~~) June 30, 2024.

~~((4))~~ (9) \$162,000 of the general fund—state appropriation for fiscal year 2024 and \$162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to waive rent fees and charges through June 30, 2025, for vendors who are blind business enterprise program licensees by the department of services for the blind and who lease space and operate food service businesses, inclusive of delis, cafeterias, and espresso stands, in state government buildings.

~~((4))~~ (10) \$7,000,000 of the natural climate solutions account—state appropriation is provided solely to advance the preferred alternative of the final environmental impact statement for the capitol lake-Deschutes estuary long-term management project completed in October 2022. At a minimum, the department shall:

- (a) Make tangible progress toward the next phase of design and permitting;
- (b) Advance the memorandum of understanding for governance and funding of a restored estuary to an interlocal agreement that will govern long-term management of the restored estuary; and

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\$12,815,000

(c) Initiate grant funding applications for design and permitting.

~~((42))~~ (11) \$400,000 of the state building code council account—state appropriation is provided solely for additional staffing to support the state building code council's work regarding the Washington state energy code.

~~((43))~~ (12) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(13) \$500,000 of the climate commitment account—state appropriation for fiscal year 2025 is provided solely for legal services and fees incurred by the state building code council. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(14) Sufficient funding is provided in this section to provide civic education tours for students, including but not limited to students from school districts receiving a grant under section 510(14) of this act.

(15)(a) \$250,000 of the climate commitment account—state appropriation is provided solely for the state building code council to conduct a study that includes:

(i) A review of the language addressing embodied carbon used in the building codes of other jurisdictions, including but not limited to the California Green Building Standards Code and the Vancouver Building By-law; and

(ii) The development of recommendations for language addressing embodied carbon for potential adoption by the council.

(b) The study must consider subject areas including, but not limited to, the applicability to buildings greater than 50,000 square feet; multiple compliance pathways phased in over time; including whole building life cycle assessments; reuse of existing buildings; and compliance with material carbon caps.

(c) In conducting the study, the council must provide opportunities for comment from design, construction, and building industry stakeholders.

(d) The council must submit a report of the study findings to the appropriate committees of the legislature by December 1, 2024.

(e) If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(16) \$44,000 of the general fund—state appropriation for fiscal year 2024 and \$136,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 2071 (residential housing). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

Sec. 152. 2023 c 475 s 154 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

General Fund—State Appropriation (FY 2024).	(\$4,043,000)
	<u>\$4,048,000</u>
General Fund—State Appropriation (FY 2025).	(\$4,010,000)
	<u>\$4,527,000</u>
General Fund—Federal Appropriation	(\$2,899,000)
	<u>\$3,249,000</u>
General Fund—Private/Local Appropriation.....	\$14,000
Climate Commitment Account—State Appropriation	\$977,000
TOTAL APPROPRIATION.....	(\$11,943,000)

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

~~(1) ((\$103,000 of the general fund—state appropriation for fiscal year 2024 and \$103,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for archaeological determinations and excavations of inadvertently discovered skeletal human remains, and removal and reinterment of such remains when necessary.~~

~~(2))~~ (2)) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington main street program.

~~((3))~~ (2) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the black historic sites survey project.

~~((4))~~ (3) \$477,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(5))~~ (4) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(5) \$31,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(6) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department of archaeology and historic preservation to partner with a nonprofit organization specializing in Washington state history to produce a publicly available resource for Washington state's forest history.

Sec. 153. 2023 c 475 s 155 (uncodified) is amended to read as follows:

FOR THE CONSOLIDATED TECHNOLOGY SERVICES AGENCY

General Fund—State Appropriation (FY 2024)	(\$21,697,000)
	<u>\$7,623,000</u>
General Fund—State Appropriation (FY 2025)	(\$1,700,000)
	<u>\$30,310,000</u>
General Fund—Federal Appropriation.....	<u>\$134,292,000</u>
Consolidated Technology Services Revolving Account—	
State Appropriation	(\$124,249,000)
	<u>\$136,308,000</u>
TOTAL APPROPRIATION	(\$147,646,000)
	<u>\$308,533,000</u>

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

~~(1) ((\$14,752,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of the chief information officer. Of this amount:~~

~~(a))~~ (a)) \$2,000,000 of the consolidated technology services revolving account—state appropriation is provided solely for experienced information technology project managers to provide critical support to agency IT projects that are under oversight from the office of the chief information officer. The staff or vendors will:

~~((i))~~ (a) Provide master level project management guidance to agency IT stakeholders;

~~((ii))~~ (b) Consider statewide best practices from the public

and private sectors, independent review and analysis, vendor management, budget and timing quality assurance and other support of current or past IT projects in at least Washington state and share these with agency IT stakeholders and legislative fiscal staff at least twice annually and post these to the statewide IT dashboard; and

~~((#))~~ (c) Provide independent recommendations to legislative fiscal committees by December of each calendar year on oversight of IT projects to include opportunities for accountability and performance metrics.

~~((b) \$2,960,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of privacy and data protection.~~

~~(e))~~ (2) \$2,226,000 of the consolidated technology services revolving account—state appropriation is provided solely for the enterprise data management pilot project, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((2) \$16,890,000)~~ (3) \$16,939,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of cyber security.

~~((3))~~ (4) \$2,737,000 of the consolidated technology services revolving account—state appropriation is provided solely for the office of privacy and data protection.

(5) The consolidated technology services agency shall work with customer agencies using the Washington state electronic records vault (WASERV) to identify opportunities to:

(a) Reduce storage volumes and costs associated with vault records stored beyond the agencies' record retention schedules; and

(b) Assess a customized service charge as defined in chapter 304, Laws of 2017 for costs of using WASERV to prepare data compilations in response to public records requests.

~~((4))~~ (6)(a) In conjunction with the office of the chief information officer's prioritization of proposed information technology expenditures, agency budget requests for proposed information technology expenditures must include the following:

(i) The agency's priority ranking of each information technology request;

(ii) The estimated cost by fiscal year and by fund for the current biennium;

(iii) The estimated cost by fiscal year and by fund for the ensuing biennium;

(iv) The estimated total cost for the current and ensuing biennium;

(v) The total cost by fiscal year, by fund, and in total, of the information technology project since it began;

(vi) The estimated cost by fiscal year and by fund over all biennia through implementation and close out and into maintenance and operations;

(vii) The estimated cost by fiscal year and by fund for service level agreements once the project is implemented;

(viii) The estimated cost by fiscal year and by fund for agency staffing for maintenance and operations once the project is implemented; and

(ix) The expected fiscal year when the agency expects to complete the request.

(b) The office of the chief information officer and the office of financial management may request agencies to include additional information on proposed information technology expenditure requests.

~~((5))~~ (7) The consolidated technology services agency must not increase fees charged for existing services without prior approval by the office of financial management. The agency may develop fees to recover the actual cost of new infrastructure to support increased use of cloud technologies.

~~((6))~~ (8) Within existing resources, the agency must provide oversight of state procurement and contracting for information technology goods and services by the department of enterprise services.

~~((7))~~ (9) Within existing resources, the agency must host, administer, and support the state employee directory in an online format to provide public employee contact information.

~~((8))~~ (10) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((9) \$4,508,000)~~ (11) \$7,088,000 of the consolidated technology services revolving account—state appropriation is provided solely for the creation and ongoing delivery of information technology services tailored to the needs of small agencies. The scope of services must include, at a minimum, full-service desktop support, service assistance, security, and consultation.

~~((10) \$75,935,000)~~ (12) \$82,811,000 of the consolidated technology services revolving account—state appropriation is provided solely for the procurement and distribution of Microsoft 365 licenses which must include advanced security features and cloud-based private branch exchange capabilities for state agencies. The office must report annually to fiscal committees of the legislature each December 31, on the count and type of licenses distributed by consolidated technology services to each state agency. The report must also separately report on the count and type of Microsoft 365 licenses that state agencies have in addition to those that are distributed by consolidated technology services so that the total count, type of license, and cost is known for statewide Microsoft 365 licenses.

~~((11))~~ (13) The office of the chief information officer shall maintain an information technology project dashboard that, at minimum, provides updated information each fiscal month on the projects subject to section 701 of this act.

(a) The statewide information technology dashboard must include, at a minimum, the:

(i) Start date of the project;

(ii) End date of the project, when the project will close out and implementation will commence;

(iii) Term of the project in state fiscal years across all biennia to reflect the start of the project through the end of the project;

(iv) Total project cost from start date through the end date of the project in total dollars, and a subtotal of near general fund outlook;

(v) Near general fund outlook budget and actual spending in total dollars and by fiscal month for central service agencies that bill out project costs;

(vi) Start date of maintenance and operations;

(vii) Estimated annual state fiscal year cost of maintenance and operations after implementation and close out;

(viii) Actual spending by state fiscal year and in total for state

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fiscal years that have closed;

(ix) Date a feasibility study was completed or note if none has been completed to date;

(x) Monthly project status assessments on scope, schedule, budget, and overall by the:

- (A) Office of the chief information officer;
- (B) Quality assurance vendor, if applicable; and
- (C) Agency project team;

(xi) Monthly quality assurance reports, if applicable;

(xii) Monthly office of the chief information officer status reports on budget, scope, schedule, and overall project status; and

(xiii) Historical project budget and expenditures through fiscal year 2023.

(b) The statewide dashboard must retain a roll up of the entire project cost, including all subprojects, that can display subproject detail. This includes coalition projects that are active. For projects that include multiple agencies or subprojects and roll up, the dashboard must display:

(i) A separate technology budget and investment plan for each impacted agency; and

(ii) A statewide project technology budget roll up that includes each affected agency at the subproject level.

(c) The office of the chief information officer may recommend additional elements to include but must have agreement with legislative fiscal committees and the office of financial management prior to including additional elements.

(d) The agency must ensure timely posting of project data on the statewide information technology dashboard for at least each project funded in the budget and those projects subject to the conditions of section 701 of this act to include, at a minimum, posting on the dashboard:

(i) The budget funded level by project for each project under oversight within 30 calendar days of the budget being signed into law;

(ii) The project historical expenditures through completed fiscal years by December 31; and

(iii) Whether each project has completed a feasibility study.

(e) The office of the chief information officer must post to the statewide dashboard a list of funding received by fiscal year by enacted session law, and how much was received citing chapter law as a list of funding provided by fiscal year.

~~((12))~~ (14) Within existing resources, consolidated technology services must collaborate with the department of enterprise services on the annual contract report that provides information technology contract information. Consolidated technology services will:

(a) Provide data to the department of enterprise services annually by September 1 of each year; and

(b) Provide analysis on contract information for all agencies comparing spending across state fiscal years by, at least, the contract spending towers.

~~((13))~~ (15) \$8,666,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of the enterprise cloud computing program as outlined in the December 2020 Washington state cloud readiness report. Funding provided includes, but is not limited to, cloud service broker resources, cloud center of excellence, cloud management tools, a network assessment, cybersecurity governance, and a cloud security roadmap.

~~((14))~~ (16) \$3,498,000 of the consolidated technology services revolving account—state appropriation is provided solely for the implementation of the recommendations of the cloud transition task force report to include:

(a) A cloud readiness program to help agencies plan and prepare for transitioning to cloud computing;

(b) A cloud retraining program to provide a coordinated approach to skills development and retraining; and

(c) Staffing to define career pathways and core competencies for the state's information technology workforce.

~~((15) \$20,000,000)~~ (17) \$5,926,000 of the general fund—state appropriation for fiscal year 2024 ~~((is)), \$27,110,000 of the general fund—state appropriation for fiscal year 2025, and \$134,292,000 of the general fund—federal appropriation~~ are provided solely for statewide electronic health records projects, which must comply with the approved statewide electronic health records plan. The purpose of the plan is to implement a common technology solution to leverage shared business processes and data across the state in support of client services.

(a) The statewide electronic health records plan must include, but is not limited to, the following elements:

(i) A proposed governance model for the electronic health records solution;

(ii) An implementation plan for the technology solution from kickoff through five years maintenance and operations post implementation;

(iii) A technology budget to include estimated budget and resources needed to implement the electronic health records solution by agency and across the state, including fund sources and all technology budget element requirements as outlined in section 701(4) of this act;

(iv) A licensing plan in consultation with the department of enterprise services that seeks to utilize the state data center;

(v) A procurement approach, in consultation with the department of enterprise services;

(vi) A system that must be capable of being continually updated, as necessary;

(vii) A system that will use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of every two-week sprint;

(viii) A system that will deploy usable functionality into production for users within 180 days from the date there is an executed procurement contract after a competitive request for proposal is closed;

(ix) A system that uses quantifiable deliverables that must include live, accessible demonstrations of software in development to program staff and end users at each sprint or at least monthly;

(x) A requirement that the agency implementing its electronic health record solution must invite the office and the agency comptrollers or their designee to sprint reviews;

(xi) A requirement that there is an annual independent audit of the system to evaluate compliance of the software solution vendor's performance standards and contractual requirements and technical code quality, and that it meets user needs;

(xii) A recommended program structure for implementing a statewide electronic health records solution;

(xiii) A list of individual state agency projects that will need to implement a statewide electronic health records solution and the readiness of each agency to successfully implement;

(xiv) The process for agencies to request funding from the consolidated technology services for their electronic health records projects. The submitted application must:

(A) Include at least a technology budget in compliance with the requirements of section 701(4) of this act that each agency budget office will assist with; and

(B) Be posted to the statewide information technology dashboard and meet all dashboard posting requirements as outlined in ~~(section 155(11) of this act)~~ section 153(13) of this act; and

(xv) The approval criteria for agencies to receive funds for their electronic health records project. The approval may not be given without an approved current technology budget, and the office must notify the fiscal committees of the legislature. The office may not approve funding for the project any earlier than 10 business days from the date of notification to the fiscal committees of the legislature.

(b) The plan described in (a) of this subsection:

(i) Must be submitted to the office of financial management, the chair and ranking member of the senate environment, energy, and information technology policy committee, the chairs and ranking members of the fiscal committees of the legislature, and the technology services board by July 1, 2023; and

(ii) Must be approved by the office of financial management and the technology services board established in RCW 43.105.285.

(c) ~~(\$20,000,000)~~ \$5,926,000 of the general fund—state appropriation for fiscal year 2024 ~~((=)), \$27,110,000 of the general fund—state appropriation for fiscal year 2025, and \$134,292,000 of the general fund—federal appropriation are~~ provided solely for state agency electronic health record projects at the department of corrections, the department of social and health services, and the health care authority in accordance with the approved statewide electronic health record plan requirements in (a) of this subsection. For the amount provided in this subsection ~~((45))~~ (17):

(i) Funding may not be released until the office of financial management and the technology services board have approved the statewide electronic health record plan.

(ii) As required in section 701(2) of this act, consolidated technology services may not approve funding for the project any earlier than 10 business days from the date of notification to the fiscal committees of the legislature.

(iii) Funding may not cover any costs incurred by the state agencies for services or project costs prior to the date of statewide electronic health record plan approval.

~~((iii))~~ (iv) State agencies must submit their proposed electronic health records project and technology budget to the office of the chief information officer for approval. The submitted application must:

(A) Include at least a technology budget in compliance with the requirements of section 701(4) of this act that each agency budget office will assist with; and

(B) Be posted to the statewide information technology dashboard and meet all dashboard posting requirements as outlined in section 153(13) of this act.

~~((iv))~~ (v) When a funding request is approved, consolidated technology services will transfer the funds to the agency to execute their electronic health records project.

(vi) The office must enter into an interagency agreement with the health care authority who is, and will be, the reporting entity to the federal government on the application for and use of the federal funding.

(vii) Consolidated technology services must include this enterprise electronic health records program on the statewide information technology program dashboard and must ensure that the program detail will roll up the below required subprojects:

(A) Enterprise foundational electronic health records system;

(B) Department of corrections electronic health records;

(C) Department of social and health services electronic health records; and

(D) Health care authority electronic health records.

~~((46))~~ (18) \$134,000 of the consolidated technology services revolving account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5518 (cybersecurity). ~~(If the bill is not enacted by June 30, 2023, the~~

~~amount provided in this subsection shall lapse.~~

~~((47))~~ (19) The office of the chief information officer must collaborate with the office of the secretary of state in the evaluation of the office of the secretary of state's information technology infrastructure and applications in determining the appropriate candidates for the location of data and the systems that could be exempt from consolidated technology services oversight.

~~((48))~~ (20) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,500,000)~~ \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for innovative technology solutions and modernization of legacy systems within state government. This funding is to be used for projects at other state agencies to improve the health of the state's overall information technology portfolio. Submitted projects are subject to review and approval by the technology services board as established in RCW 43.105.285. The agency must report to the office of financial management and the fiscal committees of the legislature within 90 days of the close of fiscal year 2024 with the following information to measure the quantity of projects considered for this purpose and use of this funding:

(a) The agency name, project name, estimated time duration, estimated cost, and technology service board recommendation result of each project submitted for funding;

(b) The actual length of time and cost of the projects approved by the technology services board, from start to completion; and

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

(21) In collaboration with the department of health and the health care authority, consolidated technology services must actively consult and provide oversight over:

(a) The department of health 988 technology platform that must provide interoperable capabilities between the 988 call center platform and the health care authority's 988-related system;

(b) The health care authority 988 technology platform that must provide interoperable capabilities between the 988-related system and the department of health's 988 call center platform; and

(c) How the platforms in (a) and (b) of this subsection will meet statutory requirements for technology platform functionality and implementation dates as established in Senate Bill No. 6308 (988 system timeline) and must report on the progress of both platforms' budget, scope, and schedule at a technology services board meeting by December 31, 2024.

Sec. 154. 2023 c 475 s 156 (uncodified) is amended to read as follows:

FOR THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Professional Engineers' Account—State Appropriation	(\$4,622,000)
	\$4,684,000
TOTAL APPROPRIATION	(\$4,622,000)
	\$4,684,000

NEW SECTION. Sec. 155. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS**

Financial Services Regulation Nonappropriated Fund—State Appropriation	\$728,000
TOTAL APPROPRIATION	\$728,000

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

(1) \$300,000 of the financial services regulation nonappropriated fund—state appropriation is provided solely for the department to study nontraditional financial services such as home equity sharing agreements, and their effect on communities

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of color, seniors, and other vulnerable populations.

(2) \$428,000 of the financial services regulation nonappropriated fund—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6025 (predatory loans). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 156. 2023 c 475 s 157 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE LEADERSHIP BOARD

Washington State Leadership Board Account—State Appropriation.....	(\$1,691,000)
	<u>\$1,857,000</u>
TOTAL APPROPRIATION.....	(\$1,691,000)
	<u>\$1,857,000</u>

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

(1) \$374,000 of the Washington state leadership board account—state appropriation is provided solely for implementation of chapter 96, Laws of 2022 (WA state leadership board).

(2) \$1,200,000 of the Washington state leadership board account—state appropriation is provided solely for implementing programming in RCW 43.388.010, and specifically the Washington world fellows program, sports mentoring program/boundless Washington, compassion scholars, and the Washington state leadership awards.

**PART II
HUMAN SERVICES**

Sec. 201. 2023 c 475 s 201 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(1) The appropriations to the department of social and health services in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of social and health services shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose.

(2) The department of social and health services shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3) The legislature finds that medicaid payment rates, as calculated by the department pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers

so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

(4) The department shall to the maximum extent practicable use the same system for delivery of spoken-language interpreter services for social services appointments as the one established for medical appointments in the health care authority. When contracting directly with an individual to deliver spoken language interpreter services, the department shall only contract with language access providers who are working at a location in the state and who are state-certified or state-authorized, except that when such a provider is not available, the department may use a language access provider who meets other certifications or standards deemed to meet state standards, including interpreters in other states.

(5) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department of social and health services are subject to technical oversight by the office of the chief information officer.

(6)(a) The department shall facilitate enrollment under the medicaid expansion for clients applying for or receiving state funded services from the department and its contractors. Prior to open enrollment, the department shall coordinate with the health care authority to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(b) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The department shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for public assistance benefits.

(7) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, support the adoption of a cohesive technology and data architecture, and maximize federal financial participation. The work of the coalition is subject to the conditions, limitations, and review provided in section 701 of this act.

(8)(a) The appropriations to the department of social and health services in this act must be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 among programs and subprograms after approval by the director of the office of financial management. However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2024 caseload forecasts and utilization assumptions in the long-term care, developmental disabilities, and public assistance programs, the department may transfer state appropriations that are provided solely for a specified purpose. The department may not transfer funds, and the director of the office of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification shall include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(9) The department may not transfer appropriations for the developmental disabilities program to any other program of the department of social and health services, or between subprograms of the developmental disabilities program itself.

Sec. 202. 2023 c 475 s 202 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM

General Fund—State Appropriation (FY 2024)	((\$610,452,000))
	<u>\$808,569,000</u>
General Fund—State Appropriation (FY 2025)	((\$679,312,000))
	<u>\$781,930,000</u>
General Fund—Federal Appropriation	((\$148,488,000))
	<u>\$168,601,000</u>
General Fund—Private/Local Appropriation...	((\$10,732,000))
	<u>\$6,500,000</u>
TOTAL APPROPRIATION.....	((\$1,448,984,000))
	<u>\$1,765,600,000</u>

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

(1) The state psychiatric hospitals and residential treatment facilities may use funds appropriated in this subsection to purchase goods, services, and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(2) \$311,000 of the general fund—state appropriation for fiscal year 2024 and \$311,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection are for the salaries, benefits, supplies, and equipment for the city of Lakewood to produce incident and police response reports, investigate potential criminal conduct, assist with charging consultations, liaison between staff and prosecutors, provide staff training on criminal justice procedures, assist with parking enforcement, and attend meetings with hospital staff.

(3) \$45,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(4) \$311,000 of the general fund—state appropriation for fiscal year 2024 and \$311,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community services officer

for policing efforts at eastern state hospital. The department must collect data from the city of Medical Lake on the use of the funds and the number of calls responded to by the community policing program and submit a report with this information to the office of financial management and the appropriate fiscal committees of the legislature each December of the fiscal biennium.

(5) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for payment to the city of Medical Lake for police services provided by the city at eastern state hospital and adjacent areas.

(6) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in collaboration with the health care authority, to develop and implement a predictive modeling tool which identifies clients who are at high risk of future involvement with the criminal justice system and for developing a model to estimate demand for civil and forensic state hospital bed needs pursuant to the following requirements.

(a) By the first day of each December during the fiscal biennium, the department, in coordination with the health care authority, must submit a report to the office of financial management and the appropriate committees of the legislature that summarizes how the predictive modeling tool has been implemented and includes the following: (i) The number of individuals identified by the tool as having a high risk of future criminal justice involvement; (ii) the method and frequency for which the department is providing lists of high-risk clients to contracted managed care organizations and behavioral health administrative services organizations; (iii) a summary of how the managed care organizations and behavioral health administrative services organizations are utilizing the data to improve the coordination of care for the identified individuals; and (iv) a summary of the administrative data to identify whether implementation of the tool is resulting in increased access and service levels and lower recidivism rates for high-risk clients at the state and regional level.

(b) The department must provide staff support for the forensic and long-term civil commitment bed forecast which must be conducted under the direction of the office of financial management. The forecast methodology, updates, and methodology changes must be conducted in coordination with staff from the department, the health care authority, the office of financial management, and the appropriate fiscal committees of the state legislature. The model shall incorporate factors for capacity in state hospitals as well as contracted facilities, which provide similar levels of care, referral patterns, wait lists, lengths of stay, and other factors identified as appropriate for estimating the number of beds needed to meet the demand for civil and forensic state hospital services. Factors should include identification of need for the services and analysis of the effect of community investments in behavioral health services and other types of beds that may reduce the need for long-term civil commitment needs. The forecast must be updated each February, June, and November during the fiscal biennium and the department must submit a report to the legislature and the appropriate committees of the legislature summarizing the updated forecast based on the caseload forecast council's schedule for entitlement program forecasts.

(7) \$9,119,000 of the general fund—state appropriation for fiscal year 2024 and \$9,145,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the phase-in of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No.

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14-cv-01178-MJP. The department, in collaboration with the health care authority and the criminal justice training commission, must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to competency evaluations, competency restoration, forensic navigators, crisis diversion and supports, education and training, and workforce development.

(8) \$7,147,000 of the general fund—state appropriation for fiscal year 2024 and \$7,147,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to maintain implementation of efforts to improve the timeliness of competency evaluation services for individuals who are in local jails pursuant to chapter 5, Laws of 2015 (timeliness of competency treatment and evaluation services). This funding must be used solely to maintain increases in the number of competency evaluators that began in fiscal year 2016 pursuant to the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP.

(9) \$71,690,000 of the general fund—state appropriation for fiscal year 2024 and \$77,825,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of efforts to improve the timeliness of competency restoration services pursuant to chapter 5, Laws of 2015 (timeliness of competency treatment and evaluation services) and the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. These amounts must be used to maintain increases that were implemented between fiscal year 2016 and fiscal year 2021, and further increase the number of forensic beds at western state hospital during the 2023-2025 fiscal biennium. Pursuant to chapter 7, Laws of 2015 1st sp. sess. (timeliness of competency treatment and evaluation services), the department may contract some of these amounts for services at alternative locations if the secretary determines that there is a need.

(10) (~~(\$84,483,000)~~) \$84,565,000 of the general fund—state appropriation for fiscal year 2024, \$77,343,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$1,042,000)~~) \$960,000 of the general fund—federal appropriation are provided solely for the department to continue to implement an acuity based staffing tool at western state hospital and eastern state hospital in collaboration with the hospital staffing committees. The staffing tool must be used to identify, on a daily basis, the clinical acuity on each patient ward and determine the minimum level of direct care staff by profession to be deployed to meet the needs of the patients on each ward. The department must evaluate interrater reliability of the tool within each hospital and between the two hospitals. The department must also continue to update, in collaboration with the office of financial management's labor relations office, the staffing committees, and state labor unions, an overall state hospital staffing plan that looks at all positions and functions of the facilities.

(a) Within the amounts provided in this section, the department must establish, monitor, track, and report monthly staffing and expenditures at the state hospitals, including overtime and use of locums, to the functional categories identified in the recommended staffing plan. The allotments and tracking of staffing and expenditures must include all areas of the state hospitals, must be done at the ward level, and must include contracted facilities providing forensic restoration services as well as the office of forensic mental health services.

(b) By December 1, 2023, and December 1, 2024, the

department must submit reports to the office of financial management and the appropriate committees of the legislature that provide a comparison of monthly spending, staffing levels, overtime, and use of locums for the prior year compared to allotments and to the recommended state hospital staffing model. The format for these reports must be developed in consultation with staff from the office of financial management and the appropriate committees of the legislature. The reports must include a summary of the results of the evaluation of the interrater reliability in use of the staffing acuity tool and an update from the hospital staffing committees.

(c) Monthly staffing levels and related expenditures at the state hospitals must not exceed official allotments without prior written approval from the director of the office of financial management. In the event the director of the office of financial management approves an increase in monthly staffing levels and expenditures beyond what is budgeted, notice must be provided to the appropriate committees of the legislature within 30 days of such approval. The notice must identify the reason for the authorization to exceed budgeted staffing levels and the time frame for the authorization. Extensions of authorizations under this subsection must also be submitted to the director of the office of financial management for written approval in advance of the expiration of an authorization. The office of financial management must notify the appropriate committees of the legislature of any extensions of authorizations granted under this subsection within 30 days of granting such authorizations and identify the reason and time frame for the extension.

(11) (~~(\$4,994,000)~~) \$5,083,000 of the general fund—state appropriation for fiscal year 2024, \$7,535,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$672,000)~~) \$583,000 of the general fund—federal appropriation are provided solely for the department to establish a violence reduction team at western state hospital to improve patient and staff safety at eastern and western state hospitals. A report must be submitted by December 1, 2023, and December 1, 2024, which includes a description of the violence reduction or safety strategy, a profile of the types of patients being served, the staffing model being used, and outcomes associated with each strategy. The outcomes section should include tracking data on facility-wide metrics related to patient and staff safety as well as individual outcomes related to the patients served.

(12) \$2,593,000 of the general fund—state appropriation for fiscal year 2024 and \$2,593,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase services to patients found not guilty by reason of insanity under the *Ross v. Lashway* settlement agreement.

(13) Within the amounts provided in this subsection, the department must develop and submit an annual state hospital performance report for eastern and western state hospitals. Each measure included in the performance report must include baseline performance data, agency performance targets, and performance for the most recent fiscal year. The performance report must include a one page dashboard as well as charts for each fiscal year and quality of care measure broken out by hospital and including but not limited to: (a) Monthly FTE expenditures compared to allotments; (b) monthly dollar expenditures compared to allotments; (c) monthly FTE expenditures per thousand patient bed days; (d) monthly dollar expenditures per thousand patient bed days; (e) percentage of FTE expenditures for overtime; (f) average length of stay by category of patient; (g) average monthly civil wait list; (h) average monthly forensic wait list; (i) rate of staff assaults per thousand patient bed days; (j) rate of patient assaults per thousand patient bed days; (k) average number of

days to release after a patient has been determined to be clinically ready for discharge; and (l) average monthly vacancy rates for key clinical positions. The department must submit the state hospital performance report to the office of financial management and the appropriate committees of the legislature by the first day of each December of the biennium.

(14) \$546,000 of the general fund—state appropriation for fiscal year 2024 and \$566,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for design and planning activities for the new forensic hospital being constructed on the grounds of western state hospital.

(15) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain an on-site safety compliance officer, stationed at western state hospital, to provide oversight and accountability of the hospital's response to safety concerns regarding the hospital's work environment.

(16) \$10,364,000 of the general fund state—appropriation for fiscal year 2024 are provided solely for the department to provide behavioral health and stabilization services at the King county south correctional entity to class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(17) \$2,619,000 of the general fund—state appropriation for fiscal year 2024 and \$5,027,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to hire additional forensic evaluators to provide in-jail competency evaluations and community-based evaluations.

(18) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to track compliance with the requirements of RCW 71.05.365 for transition of state hospital patients into community settings within 14 days of the determination that they no longer require active psychiatric treatment at an inpatient level of care. The department must use these amounts to track the following elements related to this requirement: (a) The date on which an individual is determined to no longer require active psychiatric treatment at an inpatient level of care; (b) the date on which the behavioral health entities and other organizations responsible for resource management services for the person is notified of this determination; and (c) the date on which either the individual is transitioned to the community or has been reevaluated and determined to again require active psychiatric treatment at an inpatient level of care. The department must provide this information in regular intervals to behavioral health entities and other organizations responsible for resource management services. The department must summarize the information and provide a report to the office of financial management and the appropriate committees of the legislature on progress toward meeting the 14 day standard by December 1, 2023, and December 1, 2024.

(19) (~~(\$10,547,000)~~) \$2,190,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$37,480,000)~~) \$28,742,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the 48 bed Clark county facility to provide long-term inpatient care beds as defined in RCW 71.24.025. The department must use this facility to provide treatment services for individuals who have been committed to a state hospital pursuant to the dismissal of criminal charges and civil evaluation ordered under RCW 10.77.086 or 10.77.088. In considering placements at the facility, the department must maximize forensic bed capacity at the state hospitals for individuals in jails awaiting admission that are class

members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP. The department must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, and December 1, 2024, providing a status update on progress toward opening the new facility.

(20) \$8,048,000 of the general fund—state appropriation for fiscal year 2024 and \$7,677,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to reopen and operate a 30 bed ward for civil patients at western state hospital. The department must prioritize placements on this ward for individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, in order to maximize forensic bed capacity for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(21) (~~(\$13,324,000)~~) \$14,466,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$44,813,000)~~) \$51,582,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the maple lane campus(~~(. Of the amounts provided in this subsection:))~~ as described in (a) and (b) of this subsection.

(a) (~~(\$4,764,000 of the general fund—state appropriation for fiscal year 2024 and \$5,239,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the))~~ The department ((~~to~~)) shall operate the Oak, Columbia, and Cascade cottages to provide:

(i) Treatment services to individuals committed to a state hospital under chapter 71.05 RCW pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088;

(ii) Treatment services to individuals acquitted of a crime by reason of insanity and subsequently ordered to receive treatment services under RCW 10.77.120; and

(iii) Through fiscal year 2024, competency restoration services at the Cascade cottage to individuals under RCW 10.77.086 or 10.77.088.

(b) (~~(\$8,560,000 of the general fund—state appropriation for fiscal year 2024 and \$39,574,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the))~~ The department ((~~to~~)) shall open and operate the Baker and Chelan cottages to provide treatment services to individuals committed to a state hospital under chapter 71.05 RCW pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088.

(c) In considering placements at the maple lane campus, the department must maximize forensic bed capacity at the state hospitals for individuals in jails awaiting admission that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP.

(22) \$1,412,000 of the general fund—state appropriation for fiscal year 2024 and \$1,412,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for relocation, storage, and other costs associated with building demolition on the western state hospital campus.

(23) \$455,000 of the general fund—state appropriation for fiscal year 2024 and \$455,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for western state hospital's vocational rehabilitation program and eastern state hospital's work readiness program to pay patients working in the

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programs an hourly wage that is equivalent to the state's minimum hourly wage under RCW 49.46.020.

(24) \$4,054,000 of the general fund—state appropriation for fiscal year 2024 and \$5,236,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) ~~(\$2,233,000)~~ \$2,283,000 of the general fund—state appropriation for fiscal year 2024, \$4,118,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$297,000)~~ \$247,000 of the general fund—federal appropriation are provided solely for the department to address delays in patient discharge as provided in this subsection.

(a) The department shall hire staff dedicated to discharge reviews, including psychologists to complete reviews and staff for additional discharge review work, including, but not limited to, scheduling, planning, and providing transportation; and establish and implement a sex offense and problematic behavior program as part of the sex offense review and referral team program.

(b) Of the amounts provided in this subsection, \$504,000 per year shall be used for bed fees for patients who are not guilty by reason of insanity.

(c) The department shall track data as it relates to this subsection and, where available, compare it to historical data. The department will provide a report to the appropriate fiscal and policy committees of the legislature. A preliminary report is due by December 1, 2023, and the final report is due by September 15, 2024, and at a minimum must include the:

- (i) Volume of patients discharged;
- (ii) Volume of patients in a sex offense or problematic behavior program;
- (iii) Number of beds held for not guilty by reason of insanity patients;
- (iv) Average and median duration to complete discharges;
- (v) Staffing as it relates to this subsection; and
- (vi) Average discharge evaluation caseload.

~~((27))~~ (26)(a) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to pursue immediate strategies to maximize existing forensic bed capacity for individuals in jails awaiting admission to the state hospitals that are class members of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP. The immediate strategies must include, but are not limited to:

(i) Additional approaches to resolving barriers to discharge for civil patients, including:

(A) In coordination with the behavioral health teaching facility at the University of Washington, identification of civil patients in the state hospitals that could receive appropriate treatment at the facility and work to resolve any barriers in such placement;

(B) Identification of civil patients in the state hospitals that could receive appropriate treatment at an enhanced services facility or any other community facility and work to resolve any barriers in such placement; and

(C) Coordination with the aging and long-term care administration and the office of public guardianship on the provision of qualified guardians for civil patients in need of guardianship that are otherwise eligible for discharge; and

(ii) Additional approaches to resolving any barriers to maximizing the use of existing civil wards at eastern state hospital for individuals currently occupying beds on forensic wards at

western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088.

(b) By December 1, 2023, the department must submit a preliminary report to the appropriate committees of the legislature and to the office of financial management that provides:

(i) The number of individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088; and

(ii) The department's plan for utilizing the funds provided in this subsection and estimated outcomes.

(c) By September 1, 2024, the department must submit a final report to the appropriate committees of the legislature and to the office of financial management that provides:

(i) The number of individuals currently occupying beds on forensic wards at western state hospital who have been committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088; and

(ii) Detailed reporting on how the funds provided in this subsection were used and the associated outcomes.

~~((28) \$53,000)~~ (27) \$76,000 of the general fund—state appropriation for fiscal year 2024, \$53,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$94,000)~~ \$71,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(29))~~ (28) Within the amounts provided in this section, the department is provided funding to operate civil long-term inpatient beds at the state hospitals as follows:

(a) Funding is sufficient for the department to operate 192 civil beds at eastern state hospital in both fiscal year 2024 and fiscal year 2025.

(b) Funding is sufficient for the department to operate 287 civil beds at western state hospital in both fiscal year 2024 and fiscal year 2025.

(c) The department shall fully operate funded civil capacity at eastern state hospital, including reopening and operating civil beds that are not needed for eastern Washington residents to provide services for western Washington residents.

(d) The department shall coordinate with the health care authority toward increasing community capacity for long-term inpatient services required under section 215(50) of this act.

(29)(a) \$60,426,000 of the general fund—state appropriation for fiscal year 2024 and \$74,538,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate 72 beds in three wards in the Olympic heritage behavioral health facility.

(b) The department may not use the remaining 40 beds at the facility for any purpose and must permit the contractor selected by the health care authority to utilize the beds pursuant to and upon completion of the contracted process outlined in section 215 of this act.

(30) \$100,318,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to pay the court order filed July 7, 2023, issued in the case of *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States district court for the western district of Washington, cause no. 14-cv-01178-MJP, which requires the department to "pay all fines held in abeyance from September 2022 through May 2023, which totals \$100,318,000.00."

(31) \$6,900,000 of the general fund—state appropriation for

fiscal year 2024 and \$13,610,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate an additional 30 beds at western state hospital.

(32) \$3,228,000 of the general fund—state appropriation for fiscal year 2024 and \$6,088,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate an additional eight beds at eastern state hospital.

(33) \$700,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5690 (conditional release transition teams). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(34) \$1,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/PSERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 203. 2023 c 475 s 203 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund—State Appropriation (FY 2024)	(\$1,129,397,000))
	<u>\$1,130,054,000</u>
General Fund—State Appropriation (FY 2025)	(\$1,184,492,000))
	<u>\$1,210,591,000</u>
General Fund—Federal Appropriation	(\$2,409,328,000))
	<u>\$2,436,767,000</u>
General Fund—Private/Local Appropriation.....	\$4,058,000
Developmental Disabilities Community Services Account—State Appropriation	\$32,120,000
TOTAL APPROPRIATION.....	(\$4,759,395,000))
	<u>\$4,813,590,000</u>

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

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

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

(i) The current annual renewal license fee for adult family homes is \$225 per bed beginning in fiscal year 2024 and \$225 per bed beginning in fiscal year 2025. A processing fee of \$2,750 must be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 must be charged when adult family home providers file a change of ownership application.

(ii) The current annual renewal license fee for assisted living facilities is \$116 per bed beginning in fiscal year 2024 and \$116 per bed beginning in fiscal year 2025.

(iii) The current annual renewal license fee for nursing facilities is \$359 per bed beginning in fiscal year 2024 and \$359 per bed beginning in fiscal year 2025.

(c) \$32,240,000 of the general fund—state appropriation for fiscal year 2024, \$52,060,000 of the general fund—state appropriation for fiscal year 2025, and \$108,994,000 of the general fund—federal appropriation are provided solely for the rate increase for the new consumer-directed employer contracted individual providers as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(d) \$5,095,000 of the general fund—state appropriation for fiscal year 2024, \$7,299,000 of the general fund—state appropriation for fiscal year 2025, and \$16,042,000 of the general fund—federal appropriation are provided solely for the homecare agency parity consistent with the rate set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(e) \$1,099,000 of the general fund—state appropriation for fiscal year 2024, \$2,171,000 of the general fund—state appropriation for fiscal year 2025, and \$5,515,000 of the general fund—federal appropriation are provided solely for administrative costs of the consumer-directed employer as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(f) \$328,000 of the general fund—state appropriation for fiscal year 2024, \$444,000 of the general fund—state appropriation for fiscal year 2025, and \$998,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by 56 cents per hour effective July 1, 2023.

(g) \$9,371,000 of the general fund—state appropriation for fiscal year 2024, \$10,798,000 of the general fund—state appropriation for fiscal year 2025, and \$25,267,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(h) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(i) Community residential cost reports that are submitted by or on behalf of contracted agency providers are required to include information about agency staffing including health insurance, wages, number of positions, and turnover.

(j) Sufficient appropriations are provided to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(i) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, and assisted living facility beds.

(ii) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (j)(i)

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of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(iii) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (j)(i) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(iv) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(k) Sufficient appropriations are provided for discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(l) \$476,000 of the general fund—state appropriation for fiscal year 2024 and \$481,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1128 (personal needs allowance). ~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~

(m) The annual certification renewal fee for community residential service businesses is \$859 per client in fiscal year 2024 and \$859 per client in fiscal year 2025. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs.

(n) \$2,648,000 of the general fund—state appropriation for fiscal year 2024, \$2,631,000 of the general fund—state appropriation for fiscal year 2025, and \$2,293,000 of the general fund—federal appropriation are provided solely for enhanced respite beds across the state for children. These services are intended to provide families and caregivers with a break in caregiving, the opportunity for behavioral stabilization of the child, and the ability to partner with the state in the development of an individualized service plan that allows the child to remain in his or her home. The department must provide the legislature with a respite utilization report in January of each year that provides information about the number of children who have used enhanced respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(o) \$2,173,000 of the general fund—state appropriation for fiscal year 2024 and \$2,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for 13 community respite beds across the state for adults. These services are intended to provide families and caregivers with a break in caregiving and the opportunity for stabilization of the individual in a community-based setting as an alternative to using a residential habilitation center to provide planned or emergent respite. The department must provide the legislature with a respite utilization report by January of each year that provides information about the number of individuals who have used community respite in the preceding year, as well as the location and number of days per month that each respite bed was occupied.

(p) \$144,000 of the general fund—state appropriation for fiscal year 2025 and \$181,000 of the general fund—federal appropriation are provided solely for funding the unfair labor practice settlement in the case of *Adult Family Home Council v*

Office of Financial Management, PERC case no. 135737-U-22. If the settlement agreement is not reached by June 30, 2024, the amounts provided in this subsection shall lapse.

(q) \$351,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$375,000)~~ \$570,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$905,000)~~ \$1,158,000 of the general fund—federal appropriation are provided solely for rate adjustments for assisted living providers. Of the amounts provided in this subsection:

(i) \$351,000 of the general fund—state appropriation for fiscal year 2024, \$428,000 of the general fund—state appropriation for fiscal year 2025, and \$970,000 of the general fund—federal appropriation are provided solely to increase funding of the assisted living medicaid methodology established in RCW 74.39A.032 to 79 percent of the labor component and 68 percent of the operations component, effective July 1, 2023; and to 82 percent of the labor component and 68 percent of the operations component, effective July 1, 2024.

(ii) \$142,000 of the general fund—state appropriation for fiscal year 2025 and \$188,000 of the general fund—federal appropriation are provided solely for a one-time bridge rate for assisted living facilities, enhanced adult residential centers, and adult residential centers, with high medicaid occupancy. The bridge rate does not replace or substitute the capital add-on rate found in RCW 74.39A.320 and the same methodology from RCW 74.39A.320 shall be used to determine each facility's medicaid occupancy percentage for the purposes of this one-time bridge rate add-on. Facilities with a medicaid occupancy level of 75 percent or more shall receive a \$20.99 add-on per resident day effective July 1, 2024.

(r) The appropriations in this section include sufficient funding to implement chapter 220, Laws of 2020 (adult family homes/8 beds). A nonrefundable fee of \$485 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(s) The appropriations in this section include sufficient funding to provide access to the individual and family services waiver and the basic plus waiver to those individuals on the service request list as forecasted by the caseload forecast council. For subsequent policy level budgets, the department shall submit a request for funding associated with individuals requesting to receive the individual and family services waiver and the basic plus waiver in accordance with the courtesy forecasts provided by the caseload forecast council.

(t) \$1,729,000 of the general fund—state appropriation for fiscal year 2024, \$2,669,000 of the general fund—state appropriation for fiscal year 2025, and \$4,206,000 of the general fund—federal appropriation are provided solely to operate intensive habilitation services and enhanced out-of-home services facilities.

(u) \$1,363,000 of the general fund—state appropriation for fiscal year 2024, \$1,363,000 of the general fund—state appropriation for fiscal year 2025, and \$2,092,000 of the general fund—federal appropriation are provided solely for additional staff to reduce the timeline for completion of financial eligibility determinations. No later than December 31, 2024, the department of social and health services shall submit a final report to the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes, including, but not limited to, a description of how the timeline for completion of these determinations has changed.

(v) \$485,000 of the general fund—state appropriation for fiscal year 2024 and \$484,000 of the general fund—federal appropriation are provided solely for a feasibility study of the developmental disabilities assessment tool and is subject to the

conditions, limitations, and review requirements of section 701 of this act. The resulting study must determine whether the assessment and its technology can be improved to meet regulatory obligations, be quicker and person-centered, reduce manual notations, and maintain viability across age groups and settings.

(w) \$1,223,000 of the general fund—state appropriation for fiscal year 2024, \$2,763,000 of the general fund—state appropriation for fiscal year 2025, and \$3,248,000 of the general fund—federal appropriation are provided solely for supported employment and community inclusion services for those individuals with intellectual or developmental disabilities who are transitioning from high school in the 2023-2025 fiscal biennium and are anticipated to utilize these services.

(x) \$11,074,000 of the general fund—state appropriation for fiscal year 2024, \$13,222,000 of the general fund—state appropriation for fiscal year 2025, and \$19,206,000 of the general fund—federal appropriation are provided solely to increase rates paid to supported employment and community inclusion providers. Within amounts appropriated in this section and no later than October 1, 2024, the department shall submit to the governor and the appropriate committees of the legislature:

(i) A forecast of the caseload of individuals anticipated to utilize supported employment and community inclusion services in order to inform operating budget development for the 2025-2027 fiscal biennium. This forecast shall include data that begins with fiscal year 2018 and that delineates the community inclusion caseload from the supported employment caseload and incorporates actual entries and exits; and

(ii) An analysis of the county supported employment and community inclusion programs in fiscal years 2018 through 2024 that includes:

(A) Data that illustrates, by county and fiscal year, the number of clients served and the number of available providers;

(B) Identification of the counties that have an insufficient number of providers with the identification occurring by zip code to the maximum extent possible;

(C) Identification of any additional barriers that prevent achieving the anticipated level of service delivery anticipated with chapter 142, Laws of 2022; and

(D) Recommendations for resolving the issues noted in (ii)(B) and (C) of this subsection (x).

(y)(i) \$79,000 of the general fund—state appropriation for fiscal year 2024, \$76,000 of the general fund—state appropriation for fiscal year 2025, and \$121,000 of the general fund—federal appropriation are provided solely for the department to develop a plan for implementing an enhanced behavior support specialty contract for community residential supported living, state-operated living alternative, or a group training home to provide intensive behavioral services and support to adults with intellectual and developmental disabilities who require enhanced services and support due to challenging behaviors that cannot be safely and holistically managed in an exclusively community setting, and who are at risk of institutionalization or out-of-state placement, or are transitioning to the community from an intermediate care facility, hospital, or other state-operated residential facility. The enhanced behavior support specialty contract shall be designed to ensure that enhanced behavior support specialty settings serve a maximum capacity of four clients and that they have the adequate levels of staffing to provide 24-hour nonmedical care and supervision of residents.

(ii) No later than June 30, 2025, the department must submit to the governor and the appropriate committees of the legislature a report that includes:

(A) A detailed description of the design of the enhanced behavior support specialty contract and setting, including a description of and the rationale for the number of staff required

within each behavior support specialty setting and the necessary qualifications of these staff;

(B) A detailed description of and the rationale for the number of department staff required to manage the enhanced behavior support specialty program;

(C) A plan for implementing the enhanced behavior support specialty contracts that includes:

(I) An analysis of areas of the state where enhanced behavior support specialty settings are needed, including recommendations for how to phase in the enhanced behavior support specialty settings in these areas; and

(II) An analysis of the sufficiency of the provider network to support a phase in of the enhanced behavior support specialty settings, including recommendations for how to further develop this network; and

(D) An estimate of the costs to implement the enhanced behavior support specialty settings and program and any necessary recommendations for legislative actions to facilitate the ability of the department to:

(I) Enter into contracts and payment arrangements with providers choosing to provide the enhanced behavior support specialty setting and to supplement care in all community-based residential settings with experts trained in enhanced behavior support so that state-operated living alternatives, supported living facilities, and other community-based settings can specialize in the needs of individuals with developmental disabilities who are living with high, complex behavioral support needs;

(II) Enter into funding agreements with the health care authority for the provision of applied behavioral analysis and other applicable health care services within the community-based residential setting; and

(III) Provide the enhanced behavior support specialty through a medicaid waiver or other federal authority administered by the department, to the extent consistent with federal law and federal funding requirements to receive federal matching funds.

(z) \$2,494,000 of the general fund—state appropriation for fiscal year 2024 and \$3,345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide personal care services for up to 33 clients who are not United States citizens and who are ineligible for medicaid upon their discharge from an acute care hospital. The department must prioritize the funding provided in this subsection for such clients in acute care hospitals who are also on the department's wait list for services.

(aa) \$2,605,000 of the general fund—state appropriation for fiscal year 2024, \$2,402,000 of the general fund—state appropriation for fiscal year 2025, and \$3,840,000 of the general fund—federal appropriation are provided solely to establish transition coordination teams to coordinate transitions of care for clients who move from one care setting to another. The department of social and health services shall submit annual reports no later than December 1, 2023, and December 1, 2024, to the appropriate committees of the legislature that detail how the funds were utilized and the associated outcomes including, but not limited to:

(i) A detailed reporting of the number of clients served, the settings in which clients received care, and the progress made toward increasing stability of client placements;

(ii) A comparison of these outcomes against the outcomes achieved in prior fiscal years;

(iii) A description of lessons learned since the transition coordination teams were first implemented, including an identification of what processes were improved to reduce the timelines for completion; and

(iv) Recommendations for changes necessary to the transition coordination teams to improve increasing stability of client

placements.

(bb) \$1,448,000 of the general fund—state appropriation for fiscal year 2024, \$1,807,000 of the general fund—state appropriation for fiscal year 2025, and \$3,626,000 of the general fund—federal appropriation are provided solely to pilot a specialty rate for adult family homes to serve up to 100 individuals with intellectual or developmental disabilities who also have co-occurring health or behavioral health diagnoses. No later than December 1, 2024, the department of social and health services shall submit a report to the governor and the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes including, but not limited to:

(i) A detailed reporting of the number of clients served and the setting from which each client entered the adult family home receiving this specialty rate;

(ii) A comparison of the rate of admissions to the adult family homes receiving this specialty rate against the rate of admissions to other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle; and

(iii) A comparison of the length of stay in the setting from which the client entered the adult family home receiving this specialty rate against the average length of stay in settings prior to entering other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle.

(cc) \$2,856,000 of the general fund—state appropriation for fiscal year 2024, \$3,104,000 of the general fund—state appropriation for fiscal year 2025, and \$5,948,000 of the general fund—federal appropriation are provided solely to pilot a program that provides a specialty rate for community residential providers who receive additional training to support individuals with complex physical and behavioral health needs.

(i) Of the amounts provided in this subsection, \$2,453,000 of the general fund—state appropriation for fiscal year 2024, \$2,705,000 of the general fund—state appropriation for fiscal year 2025, and \$5,259,000 of the general fund—federal appropriation are provided solely for the specialty rate for community residential providers to serve up to 30 individuals.

(ii) Of the amounts provided in this subsection, \$403,000 of the general fund—state appropriation for fiscal year 2024, \$399,000 of the general fund—state appropriation for fiscal year 2025, and \$689,000 of the general fund—federal appropriation are provided solely for the department to hire staff to support this specialty program, including expanding existing training programs available for community residential providers and to support providers in locating affordable housing.

(iii) No later than December 1, 2024, the department of social and health services shall submit a report to the governor and the appropriate committees of the legislature that details how the funds were utilized and the associated outcomes including, but not limited to:

(A) A detailed reporting of the number of clients served and the setting from which each client entered the community residential setting receiving this specialty rate;

(B) A comparison of the rate of admissions to the community residential setting receiving this specialty rate against the rate of admissions to other community residential settings not receiving this specialty rate as well as against the rate of admissions to other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle; and

(C) A comparison of the length of stay in the setting from which the client entered the community residential setting receiving this specialty rate against the average length of stay in

settings prior to entering other community residential settings not receiving this specialty rate as well as prior to entering other state-operated settings including, but not limited to, state-operated living alternatives, enhanced services facilities, and the transitional care center of Seattle.

(dd)(i) \$104,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with the Ruckleshaus center for a progress report on the recommendations in the December 2019 report, "Rethinking Intellectual and Developmental Disability Policy to Empower Clients, Develop Providers and Improve Services."

(ii) By February 29, 2024, a final report shall be submitted to the governor and the appropriate committees of the legislature that includes:

(A) Detailed information about the successes and barriers related to meeting the recommendations in the December 2019 report;

(B) Identification of other potential issues or options for meeting the recommendations in the December 2019 report, including but not limited to, an exploration of the enhanced behavioral support homes concept;

(C) A review of other state's approaches and innovations regarding any of the recommendations in the December 2019 report;

(D) Identification of any emergent issues; and

(E) Identification or recommendation for the organization of focus groups of state agencies and respective stakeholders.

(iii) In compiling the final report, members of the previous workgroup, as well as other interested parties, should be consulted for their feedback and to identify areas where there is potential for agreement to move forward and to make process recommendations if applicable.

(ee) \$127,000 of the general fund—state appropriation for fiscal year 2024, \$28,000 of the general fund—state appropriation for fiscal year 2025, and \$55,000 of the general fund—federal appropriation are provided solely for adult day respite. Of the amounts appropriated in this subsection:

(i) \$27,000 of the general fund—state appropriation for fiscal year 2024, \$28,000 of the general fund—state appropriation for fiscal year 2025, and \$55,000 of the general fund—federal appropriation are provided solely to increase adult day respite rates from \$3.40 to \$5.45 per 15-minute unit to expand and ensure the sustainability of respite services for clients with intellectual or developmental disabilities and their family caregivers.

(ii) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to hire a project position to conduct a study and submit a report by December 1, 2023 to the governor and the appropriate committees of the legislature that examines the feasibility and operational resources needed to add adult day services to a state plan 1915(i) option or to the existing basic plus and core 1915(c) waivers.

(ff) \$2,500,000 of the general fund—state appropriation for fiscal year 2024, \$4,284,000 of the general fund—state appropriation for fiscal year 2025, and \$4,178,000 of the general fund—federal appropriation are provided solely for the department to add 10 adult stabilization beds by June 2025, increase rates for existing adult stabilization beds by 23 percent, and expand mobile crisis diversion services to cover all three regions of the state.

(gg)(i) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to study opportunities to enhance data collection on clients in family units with at least one parent having a developmental or intellectual disability. The study must identify:

(A) Opportunities to improve the existing assessment form and

information technology systems by adding questions about clients' children, such as their ages, the number of children, and the K-12 enrollment status of each child;

(B) Ways to strengthen data sharing agreements with other departments, including the department of children, youth, and families, and local school districts;

(C) Strategies for surveying clients to collect information on their parenting and living arrangements, including support from other family members;

(D) Methods for analyzing new and existing data to determine and identify the total number of children with parents that have a developmental or intellectual disability, their needs, and access to specialized services;

(E) An inventory of existing support programs designed for families with a parent having a developmental or intellectual disability and their children, including educational support, financial assistance, and access to specialized services.

(ii) The department shall report its findings to the governor and appropriate committees of the legislature by June 30, 2024.

(hh) \$81,000 of the general fund—state appropriation for fiscal year 2024, \$219,000 of the general fund—state appropriation for fiscal year 2025, and \$371,000 of the general fund—federal appropriation are provided solely to implement House Bill No. 1407 (dev. disability/eligibility). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ii) \$62,000 of the general fund—state appropriation for fiscal year 2024, \$72,000 of the general fund—state appropriation for fiscal year 2025, and \$116,000 of the general fund—federal appropriation are provided solely to implement Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(jj) \$63,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$136,000 of the general fund—federal appropriation are provided solely for the department to conduct a study to explore opportunities to restructure services offered under the medicaid waivers for individuals with developmental disabilities served by the department. The plan should propose strategies to enhance service accessibility across the state and align services with the needs of clients, taking into account current and future demand. It must incorporate valuable input from knowledgeable stakeholders and a national organization experienced in home and community-based waivers in other states. This plan must be submitted to the governor and relevant legislative committees by December 1, 2024.

(kk) \$5,431,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$11,084,000)~~ \$16,626,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$16,737,000)~~ \$22,279,000 of the general fund—federal appropriation are provided solely to increase rates by 2.5 percent, effective January 1, 2024, and an additional 2.5 percent, effective January 1, 2025, for community residential service providers offering supported living, group home, group training home, licensed staff residential services, community protection, and children's out-of-home services to individuals with developmental disabilities.

(ll) \$456,000 of the general fund—state appropriation for fiscal year 2024, \$898,000 of the general fund—state appropriation for fiscal year 2025, and \$416,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(mm) \$446,000 of the general fund—state appropriation for

fiscal year 2024, \$5,274,000 of the general fund—state appropriation for fiscal year 2025, and \$2,089,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(nn)(a) \$2,214,000 of the general fund—state appropriation for fiscal year 2024, \$10,104,000 of the general fund—state appropriation for fiscal year 2025, and \$2,934,000 of the general fund—federal appropriation are provided solely for the department to operate a staff-secure, voluntary, and transitional treatment facility specializing in services for adolescents over the age of 13 who have complex developmental, intellectual disabilities, or autism spectrum disorder and may also have a mental health or substance use diagnosis. These individuals require intensive behavioral supports and may also be in need of behavioral health services. Services must be provided at a leased property in Lake Burien, serve no more than 12 youth at one time, and be implemented in a way that prioritizes transition to less restrictive community-based settings. The department shall collaborate with the department of children, youth, and families to identify youth for placement in this setting and regarding appropriate discharge options with a focus on less restrictive community-based settings. Youth shall enter the facility only by their own consent or the consent of their guardian.

(b) The department and health care authority shall collaborate in the identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments. This collaborative effort aims not only to enhance the funding available for the operation of the facility but also to maintain adherence to its fundamental objective of offering voluntary, transitional services. These services are designed to facilitate the transition of youth to community-based settings that are less restrictive, aligning with the facility's commitment to supporting youth with complex needs in a manner that encourages their movement toward independence.

(c) By November 1, 2024, the department shall report to the governor and appropriate committees of the legislature on the program's design, results of preliminary implementation, financing opportunities, and recommendations. By June 30, 2025, the department shall report to the governor and appropriate committees of the legislature its initial findings, demographics on children served, and recommendations for program design and expansion.

(oo) \$175,000 of the general fund—state appropriation for fiscal year 2025 and \$175,000 of the general fund—federal appropriation are provided solely for guardianship fee parity for individuals moving from residential habilitation centers to community supported living programs. This funding aims to maintain equal guardianship fees compared to those moving to adult family homes.

(pp) \$108,000 of the general fund—state appropriation for fiscal year 2025 and \$92,000 of the general fund—federal appropriation are provided solely to convene a work group to study day habilitation services, ensuring that work group includes individuals with lived experience. The work group must submit a final report to the governor and appropriate committees of the legislature by October 1, 2024, detailing recommendations for the establishment of community-contracted day habilitation services statewide and their inclusion in the medicaid state plan.

(qq) \$1,260,000 of the general fund—state appropriation for fiscal year 2025 and \$970,000 of the general fund—federal appropriation are provided solely for hiring additional staff to reduce the current caseload ratio, targeting a move from one case

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manager per 75 clients to one case manager per 66 clients by June 2027.

(rr)(i) \$361,000 of the general fund—state appropriation for fiscal year 2025 and \$387,000 of the general fund—federal appropriation are provided for rates paid, effective January 1, 2025, to independent contractor nurses and agency-employed nurses providing private duty nursing, skilled nursing, and private duty nursing in adult family homes.

(ii) The department must adopt a payment model that incorporates the following adjustments for independent contractor nurses:

(A) Private duty nursing services shall be \$56.58 per hour by a registered nurse and \$46.49 per hour by a licensed practical nurse.

(B) Skilled nursing services shall be \$62.93 per day by a registered nurse.

(iii) The department must adopt a payment model that incorporates the following adjustments for agency-employed nurses:

(A) Private duty nursing services shall be \$67.89 per hour by a registered nurse and \$55.79 per hour by a licensed practical nurse.

(B) Skilled nursing services shall be \$75.52 per day by a registered nurse.

(iv) Private duty nursing services in an adult family home shall be \$898.95 per day.

(ss) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to establish respite care beds for individuals with intellectual and developmental disabilities in the Tri-Cities.

(2) INSTITUTIONAL SERVICES

General Fund—State Appropriation (FY 2024)	(((\$138,560,000))
	\$138,715,000
General Fund—State Appropriation (FY 2025)	(((\$140,682,000))
	\$141,014,000
General Fund—Federal Appropriation	(((\$254,857,000))
	\$255,118,000
General Fund—Private/Local Appropriation	\$19,488,000
TOTAL APPROPRIATION	(((\$553,587,000))
	\$554,335,000

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

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

(b) \$495,000 of the general fund—state appropriation for fiscal year 2024 and \$495,000 of the general fund—state appropriation for fiscal year 2025 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(c) The residential habilitation centers may use funds appropriated in this subsection to purchase goods, services, and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(d) \$61,000 of the general fund—state appropriation for fiscal year 2024, \$61,000 of the general fund—state appropriation for fiscal year 2025, and \$117,000 of the general fund—federal appropriation are provided solely for implementation of House Bill No. 1128 (personal needs allowance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(e) \$73,000 of the general fund—state appropriation for fiscal

year 2025 and \$73,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland Village records). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(3) PROGRAM SUPPORT

General Fund—State Appropriation (FY 2024)	(((\$4,103,000))
	\$3,582,000
General Fund—State Appropriation (FY 2025)	(((\$4,179,000))
	\$3,660,000
General Fund—Federal Appropriation	(((\$4,249,000))
	\$4,249,000
TOTAL APPROPRIATION	(((\$13,233,000))
	\$11,491,000

(4) SPECIAL PROJECTS

General Fund—State Appropriation (FY 2024)	\$66,000
General Fund—State Appropriation (FY 2025)	\$66,000
General Fund—Federal Appropriation	\$1,094,000
TOTAL APPROPRIATION	\$1,226,000

Sec. 204. 2023 c 475 s 204 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—AGING AND ADULT SERVICES PROGRAM

General Fund—State Appropriation (FY 2024)	(((\$2,202,547,000))
	\$2,168,094,000
General Fund—State Appropriation (FY 2025)	(((\$2,385,171,000))
	\$2,415,596,000
General Fund—Federal Appropriation	(((\$5,611,805,000))
	\$5,672,133,000
General Fund—Private/Local Appropriation	\$53,719,000
Traumatic Brain Injury Account—State Appropriation	(((\$5,586,000))
	\$4,486,000
Skilled Nursing Facility Safety Net Trust Account—State Appropriation	\$133,360,000
Long-Term Services and Supports Trust Account—State Appropriation	(((\$44,301,000))
	\$53,701,000
TOTAL APPROPRIATION	(((\$10,436,489,000))
	\$10,501,089,000

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

(1)(a) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate may not exceed \$341.41 for fiscal year 2024 and may not exceed \$364.67 for fiscal year 2025. The weighted average nursing facility payment rates in this subsection (1)(a) include the following:

(i) \$17,361,000 of the general fund—state appropriation for fiscal year 2024, \$17,361,000 of the general fund—state appropriation for fiscal year 2025, and \$34,722,000 of the general fund—federal appropriation are provided solely to maintain rate add-ons funded in the 2021-2023 fiscal biennium to address low-wage equity for low-wage direct care workers. To the maximum extent possible, the facility-specific wage rate add-on shall be equal to the wage payment received on June 30, 2023.

(ii) \$2,227,000 of the general fund—state appropriation for fiscal year 2024, \$2,227,000 of the general fund—state appropriation for fiscal year 2025, and \$4,456,000 of the general fund—federal appropriation are provided solely to maintain rate add-ons funded in the 2021-2023 fiscal biennium to address low-wage equity for low-wage indirect care workers. To the maximum extent possible, the facility-specific wage rate add-on shall be

equal to the wage payment received on June 30, 2023.

(b) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

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

(a) The current annual renewal license fee for adult family homes is \$225 per bed beginning in fiscal year 2024 and \$225 per bed beginning in fiscal year 2025. A processing fee of \$2,750 must be charged to each adult family home when the home is initially licensed. This fee is nonrefundable. A processing fee of \$700 shall be charged when adult family home providers file a change of ownership application.

(b) The current annual renewal license fee for assisted living facilities is \$116 per bed beginning in fiscal year 2024 and \$116 per bed beginning in fiscal year 2025.

(c) The current annual renewal license fee for nursing facilities is \$359 per bed beginning in fiscal year 2024 and \$359 per bed beginning in fiscal year 2025.

(3) The department is authorized to place long-term care clients residing in nursing homes and paid for with state-only funds into less restrictive community care settings while continuing to meet the client's care needs.

(4) \$69,777,000 of the general fund—state appropriation for fiscal year 2024, \$113,969,000 of the general fund—state appropriation for fiscal year 2025, and \$237,558,000 of the general fund—federal appropriation are provided solely for the rate increase for the new consumer-directed employer contracted individual providers as set by the consumer-directed rate setting board in accordance with RCW 74.39A.530.

(5) \$19,044,000 of the general fund—state appropriation for fiscal year 2024, \$30,439,000 of the general fund—state appropriation for fiscal year 2025, and \$63,986,000 of the general fund—federal appropriation are provided solely for the homecare agency parity consistent with the rate set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(6) \$2,385,000 of the general fund—state appropriation for fiscal year 2024, \$4,892,000 of the general fund—state appropriation for fiscal year 2025, and \$12,502,000 of the general fund—federal appropriation are provided solely for administrative costs of the consumer-directed employer as set by the consumer-directed employer rate setting board in accordance with RCW 74.39A.530.

(7) \$2,547,000 of the general fund—state appropriation for fiscal year 2024, \$3,447,000 of the general fund—state appropriation for fiscal year 2025, and \$7,762,000 of the general fund—federal appropriation are provided solely to increase the administrative rate for home care agencies by 56 cents per hour effective July 1, 2023.

(8) \$425,000 of the general fund—state appropriation for fiscal year 2025 and \$542,000 of the general fund—federal appropriation are provided solely for funding the unfair labor practice settlement in the case of *Adult Family Home Council v Office of Financial Management*, PERC case no. 135737-U-22. If the settlement agreement is not reached by June 30, 2024, the

amounts provided in this subsection shall lapse.

(9) The department may authorize a one-time waiver of all or any portion of the licensing and processing fees required under RCW 70.128.060 in any case in which the department determines that an adult family home is being relicensed because of exceptional circumstances, such as death or incapacity of a provider, and that to require the full payment of the licensing and processing fees would present a hardship to the applicant. In these situations the department is also granted the authority to waive the required residential administrator training for a period of 120 days if necessary to ensure continuity of care during the relicensing process.

(10) In accordance with RCW 18.390.030, the biennial registration fee for continuing care retirement communities shall be \$900 for each facility.

(11) Within amounts appropriated in this subsection, the department shall assist the legislature to continue the work of the joint legislative executive committee on planning for aging and disability issues.

(a) A joint legislative executive committee on aging and disability is continued, with members as provided in this subsection.

(i) Four members of the senate, with the leaders of the two largest caucuses each appointing two members, and four members of the house of representatives, with the leaders of the two largest caucuses each appointing two members;

(ii) A member from the office of the governor, appointed by the governor;

(iii) The secretary of the department of social and health services or his or her designee;

(iv) The director of the health care authority or his or her designee;

(v) A member from disability rights Washington and a member from the office of long-term care ombuds;

(vi) The insurance commissioner or his or her designee, who shall serve as an ex officio member; and

(vii) Other agency directors or designees as necessary.

(b) The committee must make recommendations and continue to identify key strategic actions to prepare for the aging of the population in Washington and to serve people with disabilities, including state budget and policy options, and may conduct, but are not limited to, the following tasks:

(i) Identify strategies to better serve the health care needs of an aging population and people with disabilities to promote healthy living and palliative care planning;

(ii) Identify strategies and policy options to create financing mechanisms for long-term service and supports that allow individuals and families to meet their needs for service;

(iii) Identify policies to promote financial security in retirement, support people who wish to stay in the workplace longer, and expand the availability of workplace retirement savings plans;

(iv) Identify ways to promote advance planning and advance care directives and implementation strategies for the Bree collaborative palliative care and related guidelines;

(v) Identify ways to meet the needs of the aging demographic impacted by reduced federal support;

(vi) Identify ways to protect the rights of vulnerable adults through assisted decision-making and guardianship and other relevant vulnerable adult protections;

(vii) Identify options for promoting client safety through residential care services and consider methods of protecting older people and people with disabilities from physical abuse and financial exploitation; and

(viii) Identify other policy options and recommendations to help communities adapt to the aging demographic in planning for

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housing, land use, and transportation.

(c) Staff support for the committee shall be provided by the office of program research, senate committee services, the office of financial management, and the department of social and health services.

(d) Within existing appropriations, the cost of meetings must be paid jointly by the senate, house of representatives, and the office of financial management. Joint committee expenditures and meetings are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees. Meetings of the task force must be scheduled and conducted in accordance with the rules of both the senate and the house of representatives. The joint committee members may be reimbursed for travel expenses as authorized under RCW 43.03.050 and 43.03.060, and chapter 44.04 RCW as appropriate. Advisory committee members may not receive compensation or reimbursement for travel and expenses.

(12) Appropriations in this section are sufficient to fund discharge case managers stationed at the state psychiatric hospitals. Discharge case managers will transition clients ready for hospital discharge into less restrictive alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state psychiatric hospitals.

(13) Appropriations in this section are sufficient to fund financial service specialists stationed at the state psychiatric hospitals. Financial service specialists will help to transition clients ready for hospital discharge into alternative community placements. The transition of clients ready for discharge will free up bed capacity at the state hospitals.

(14) The department shall continue to administer tailored support for older adults and medicaid alternative care as described in initiative 2 of the 1115 demonstration waiver. This initiative will be funded by the health care authority through the medicaid quality improvement program. The secretary in collaboration with the director of the health care authority shall report to the office of financial management all expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested. The department shall not increase general fund—state expenditures on this initiative.

(15) \$61,209,000 of the general fund—state appropriation for fiscal year 2024, \$70,352,000 of the general fund—state appropriation for fiscal year 2025, and \$161,960,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the adult family home council under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(16) \$1,761,000 of the general fund—state appropriation for fiscal year 2024, \$1,761,000 of the general fund—state appropriation for fiscal year 2025, and \$4,162,000 of the general fund—federal appropriation are provided solely for case managers at the area agencies on aging to coordinate care for medicaid clients with mental illness who are living in their own homes. Work shall be accomplished within existing standards for case management and no requirements will be added or modified unless by mutual agreement between the department of social and health services and area agencies on aging.

(17) Appropriations provided in this section are sufficient for the department to contract with an organization to provide educational materials, legal services, and attorney training to support persons with dementia. The funding provided in this subsection must be used for:

(a) An advance care and legal planning toolkit for persons and families living with dementia, designed and made available

online and in print. The toolkit should include educational topics including, but not limited to:

(i) The importance of early advance care, legal, and financial planning;

(ii) The purpose and application of various advance care, legal, and financial documents;

(iii) Dementia and capacity;

(iv) Long-term care financing considerations;

(v) Elder and vulnerable adult abuse and exploitation;

(vi) Checklists such as "legal tips for caregivers," "meeting with an attorney," and "life and death planning;"

(vii) Standardized forms such as general durable power of attorney forms and advance health care directives; and

(viii) A selected list of additional resources.

(b) Webinars about the dementia legal and advance care planning toolkit and related issues and topics with subject area experts. The subject area expert presenters must provide their services in-kind, on a volunteer basis.

(c) Continuing legal education programs for attorneys to advise and assist persons with dementia. The continuing education programs must be offered at no cost to attorneys who make a commitment to participate in the pro bono program.

(d) Administrative support costs to develop intake forms and protocols, perform client intake, match participating attorneys with eligible clients statewide, maintain records and data, and produce reports as needed.

(18) Appropriations provided in this section are sufficient to continue community alternative placement beds that prioritize the transition of clients who are ready for discharge from the state psychiatric hospitals, but who have additional long-term care or developmental disability needs.

(a) Community alternative placement beds include enhanced service facility beds, adult family home beds, skilled nursing facility beds, shared supportive housing beds, state operated living alternative beds, assisted living facility beds, adult residential care beds, and specialized dementia beds.

(b) Each client must receive an individualized assessment prior to leaving one of the state psychiatric hospitals. The individualized assessment must identify and authorize personal care, nursing care, behavioral health stabilization, physical therapy, or other necessary services to meet the unique needs of each client. It is the expectation that, in most cases, staffing ratios in all community alternative placement options described in (a) of this subsection will need to increase to meet the needs of clients leaving the state psychiatric hospitals. If specialized training is necessary to meet the needs of a client before he or she enters a community placement, then the person centered service plan must also identify and authorize this training.

(c) When reviewing placement options, the department must consider the safety of other residents, as well as the safety of staff, in a facility. An initial evaluation of each placement, including any documented safety concerns, must occur within thirty days of a client leaving one of the state psychiatric hospitals and entering one of the community placement options described in (a) of this subsection. At a minimum, the department must perform two additional evaluations of each placement during the first year that a client has lived in the facility.

(d) In developing bed capacity, the department shall consider the complex needs of individuals waiting for discharge from the state psychiatric hospitals.

(19) The annual certification renewal fee for community residential service businesses is \$859 per client in fiscal year 2024 and \$859 per client in fiscal year 2025. The annual certification renewal fee may not exceed the department's annual licensing and oversight activity costs.

(20) \$5,094,000 of the general fund—state appropriation for fiscal year 2024 and \$5,094,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for services and support to individuals who are deaf, hard of hearing, or deaf-blind.

(21)(a) \$63,938,000 of the general fund—state appropriation for fiscal year 2024, \$40,714,000 of the general fund—state appropriation for fiscal year 2025, and \$110,640,000 of the general fund—federal appropriation are provided solely for rate adjustments for skilled nursing facilities.

(b) Of the amounts provided in (a) of this subsection, \$7,700,000 of the general fund—state appropriation for fiscal year 2025 and \$7,700,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5802 (nursing rate calculation). If the bill is not enacted by June 30, 2024, the amounts provided in (b) of this subsection shall lapse.

(22) \$32,470,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$34,090,000)~~) \$44,250,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$72,783,000)~~) \$84,550,000 of the general fund—federal appropriation are provided solely for rate adjustments for assisted living providers. Of the amounts provided in this subsection:

(a) \$23,751,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$25,487,000)~~) \$29,399,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$54,687,000)~~) \$59,215,000 of the general fund—federal appropriation are provided solely to increase funding of the assisted living medicaid methodology established in RCW 74.39A.032 to 79 percent of the labor component and 68 percent of the operations component, effective July 1, 2023; and to 82 percent of the labor component and 68 percent of the operations component, effective July 1, 2024. The department of social and health services shall report, by December 1st of each year, on medicaid resident utilization of and access to assisted living facilities.

(b) \$5,505,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$5,389,000)~~) \$6,671,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$11,588,000)~~) \$13,051,000 of the general fund—federal appropriation are provided solely for a specialty dementia care rate add-on for all assisted living facilities of \$43.48 per patient per day in fiscal year 2024 and \$50.00 per patient per day in fiscal year 2025.

(c) \$2,573,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$2,573,000)~~) \$7,539,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$5,146,000)~~) \$10,922,000 of the general fund—federal appropriation are provided solely for a one-time bridge rate for assisted living facilities, enhanced adult residential centers, and adult residential centers, with high medicaid occupancy. The bridge rate does not replace or substitute the capital add-on rate found in RCW 74.39A.320 and the same methodology from RCW 74.39A.320 shall be used to determine each facility's medicaid occupancy percentage for the purposes of this one-time bridge rate add-on. Facilities with a medicaid occupancy level of 90 percent or more shall receive a \$20.99 add-on per resident day effective July 1, 2023, and facilities with a medicaid occupancy level of 75 percent or more shall receive a \$20.99 add-on per resident day effective July 1, 2024.

(d) \$641,000 of the general fund—state appropriation for fiscal year 2024, \$641,000 of the general fund—state appropriation for fiscal year 2025, and \$1,362,000 of the general fund—federal appropriation are provided solely to increase the rate add-on for expanded community services by 5 percent.

(23) Within available funds, the aging and long term support administration must maintain a unit within adult protective

services that specializes in the investigation of financial abuse allegations and self-neglect allegations.

(24) The appropriations in this section include sufficient funding to implement chapter 220, Laws of 2020 (adult family homes/8 beds). A nonrefundable fee of \$485 shall be charged for each application to increase bed capacity at an adult family home to seven or eight beds.

(25) \$1,858,000 of the general fund—state appropriation for fiscal year 2024 and \$1,857,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operation of the volunteer services program. Funding must be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

(26) \$479,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$479,000)~~) \$989,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the kinship navigator program in the Colville Indian reservation, Yakama Nation, and other tribal areas.

(27) The traumatic brain injury council shall collaborate with other state agencies in their efforts to address traumatic brain injuries to ensure that efforts are complimentary and continue to support the state's broader efforts to address this issue.

(28) \$1,297,000 of the general fund—state appropriation for fiscal year 2024 and \$1,297,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community-based dementia education and support activities in three areas of the state, including dementia resource catalyst staff and direct services for people with dementia and their caregivers.

(29) \$5,410,000 of the general fund—state appropriation for fiscal year 2024, \$9,277,000 of the general fund—state appropriation for fiscal year 2025, and \$14,909,000 of the general fund—federal appropriation are provided solely for the operating costs associated with the phase-in of enhanced services facilities and specialized dementia care beds that were established with behavioral health community capacity grants.

(30)(a) \$71,000 of the general fund—state appropriation for fiscal year 2024, \$68,000 of the general fund—state appropriation for fiscal year 2025, and \$141,000 of the general fund—federal appropriation are provided solely for the department to develop a plan for implementing an enhanced behavior support specialty contract for community residential supported living, state-operated living alternative, or a group training home to provide intensive behavioral services and support to adults with intellectual and developmental disabilities who require enhanced services and support due to challenging behaviors that cannot be safely and holistically managed in an exclusively community setting, and who are at risk of institutionalization or out-of-state placement, or are transitioning to the community from an intermediate care facility, hospital, or other state-operated residential facility. The enhanced behavior support specialty contract shall be designed to ensure that enhanced behavior support specialty settings serve a maximum capacity of four clients and that they have the adequate levels of staffing to provide 24-hour nonmedical care and supervision of residents.

(b) No later than June 30, 2025, the department must submit to the governor and the appropriate committees of the legislature a report that includes:

(i) A detailed description of the design of the enhanced behavior support specialty contract and setting, including a description of and the rationale for the number of staff required within each behavior support specialty setting and the necessary qualifications of these staff;

(ii) A detailed description of and the rationale for the number of department staff required to manage the enhanced behavior support specialty program;

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(iii) A plan for implementing the enhanced behavior support specialty contracts that includes:

(A) An analysis of areas of the state where enhanced behavior support specialty settings are needed, including recommendations for how to phase in the enhanced behavior support specialty settings in these areas; and

(B) An analysis of the sufficiency of the provider network to support a phase in of the enhanced behavior support specialty settings, including recommendations for how to further develop this network; and

(iv) An estimate of the costs to implement the enhanced behavior support specialty settings and program and any necessary recommendations for legislative actions to facilitate the ability of the department to:

(A) Enter into contracts and payment arrangements with providers choosing to provide the enhanced behavior support specialty setting and to supplement care in all community-based residential settings with experts trained in enhanced behavior support so that state-operated living alternatives, supported living facilities, and other community-based settings can specialize in the needs of individuals with developmental disabilities who are living with high, complex behavioral support needs;

(B) Enter into funding agreements with the health care authority for the provision of applied behavioral analysis and other applicable health care services within the community-based residential setting; and

(C) Provide the enhanced behavior support specialty through a medicaid waiver or other federal authority administered by the department, to the extent consistent with federal law and federal funding requirements to receive federal matching funds.

(31) ~~(\$2,874,000)~~ \$2,551,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$2,211,000)~~ \$3,134,000 of the general fund—state appropriation for fiscal year 2025, and \$70,000 of the general fund—federal appropriation are provided solely for the kinship care support program. Of the amounts provided in this subsection:

(a) ~~(\$667,000)~~ \$1,344,000 of the general fund—state appropriation for fiscal year 2024 and \$1,944,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the kinship care support program.

(b) \$344,000 of the general fund—state appropriation for fiscal year 2024 ~~(*)~~ and \$323,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the kinship navigator case management pilot program.

~~(\$900,000)~~ (c) \$863,000 of the general fund—state appropriation for fiscal year 2024 ~~(and \$900,000)~~, \$867,000 of the general fund—state appropriation for fiscal year 2025, and \$70,000 of the general fund—federal appropriation are provided solely ~~(to increase the rates paid to)~~ for kinship navigators ~~(and to)~~, including an increase in the number of kinship navigators so that each area agency on aging has one kinship navigator and King county has two kinship navigators.

(32) \$2,574,000 of the general fund—state appropriation for fiscal year 2024 and \$2,567,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide personal care services for up to 40 clients who are not United States citizens and who are ineligible for medicaid upon their discharge from an acute care hospital. The department must prioritize the funding provided in this subsection for such clients in acute care hospitals who are also on the department's wait list for services.

(33) \$691,000 of the general fund—state appropriation for fiscal year 2024, \$658,000 of the general fund—state appropriation for fiscal year 2025, and \$1,347,000 of the general fund—federal appropriation are provided solely for the

department to provide staff support to the difficult to discharge task force described in ~~(section 135(12) of this act)~~ section 133(11) of this act, including any associated ad hoc subgroups, and to develop home and community services assessment timeliness requirements for pilot participants in cooperation with the health care authority as described in ~~(section 211(65) of this act)~~ section 211(64) of this act.

(34) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a study of functional assessments conducted by the department prior to acute care hospital discharge and placement in a post-acute facility. No later than June 30, 2025, a report must be submitted to the governor and the appropriate committees of the legislature that evaluates:

- (a) The timeliness of the completion of these assessments;
- (b) How requiring these assessments impacts:
 - (i) The length of a patient's hospital stay;
 - (ii) The patient's medical, emotional, and mental well-being;
 - (iii) The hospital staff who care for these patients; and
 - (iv) Access to inpatient and emergency beds for other patients;
- (c) Best practices from other states for placing hospitalized patients in post-acute care settings in a timely and effective manner that includes:

(i) Identification of the states that require these assessments prior to post-acute placement; and

(ii) An analysis of a patient's hospital length of stay and a patient's medical, emotional, and mental well-being in states that require these assessments compared to the states that do not; and

(d) The potential benefits of, and barriers to, outsourcing some or all of the functional assessment process to hospitals. Barriers evaluated must include department policies regarding staff workloads, outsourcing work, and computer system access.

(35) \$63,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$136,000 of the general fund—federal appropriation are provided solely to employ and train staff for outreach efforts aimed at connecting adult family home owners and their employees with health care coverage through the adult family home training network as outlined in RCW 70.128.305. These outreach activities must consist of:

(a) Informing adult family home owners and their employees about various health insurance options;

(b) Creating and distributing culturally and linguistically relevant materials to assist these individuals in accessing affordable or free health insurance plans;

(c) Offering continuous technical support to adult family home owners and their employees regarding health insurance options and the application process; and

(d) Providing technical assistance as a certified assister for the health benefit exchange, enabling adult family home owners and their employees to comprehend, compare, apply for, and enroll in health insurance via Washington healthplanfinder. Participation in the certified assister program is dependent on meeting contractual, security, and other program requirements set by the health benefit exchange.

(36) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department, in collaboration with the office of the insurance commissioner and the office of the attorney general, to create a regulatory oversight plan for continuing care retirement communities, focusing primarily on establishing and implementing resident consumer protections, as recommended in the 2022 report of the office of the insurance commissioner. As part of the process, the agencies must engage with relevant stakeholder groups for consultation.

The final plan must be submitted to the health care committees of the legislature by December 1, 2024.

(37) (~~(\$16,952,000)~~) \$11,509,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$23,761,000)~~) \$15,363,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$41,407,000)~~) \$27,344,000 of the general fund—federal appropriation are provided solely for nursing home services and emergent building costs at the transitional care center of Seattle. No later than December 1, 2024, the department must submit to the appropriate fiscal committees of the legislature a report that includes, but is not limited to:

(a) An itemization of the costs associated with providing direct care services to residents and managing and caring for the facility; and

(b) An examination of the impacts of this facility on clients and providers of the long-term care and medical care sectors of the state that includes, but is not limited to:

(i) An analysis of areas that have realized cost containment or savings as a result of this facility;

(ii) A comparison of individuals transitioned from hospitals to this facility compared to other skilled nursing facilities over the same period of time; and

(iii) Impacts of this facility on lengths of stay in acute care hospitals, other skilled nursing facility, and transitions to home and community-based settings.

(38) \$911,000 of the general fund—state appropriation for fiscal year 2024, \$935,000 of the general fund—state appropriation for fiscal year 2025, and \$365,000 of the general fund—federal appropriation are provided solely for implementation of House Bill No. 1128 (personal needs allowance). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(39) \$562,000 of the general fund—state appropriation for fiscal year 2024, \$673,000 of the general fund—state appropriation for fiscal year 2025, and \$1,244,000 of the general fund—federal appropriation are provided solely to increase rates for long-term care case management services offered by area agencies on aging. The department must include this adjustment in the monthly per client rates paid to these agencies for case management services in the governor's projected maintenance level budget process, in accordance with RCW 43.88.030.

(40) \$500,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$500,000)~~) \$1,000,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$1,000,000)~~) \$1,500,000 of the general fund—federal appropriation are provided solely to contract with an organization to design and deliver culturally and linguistically competent training programs for home care workers, including individual providers. Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2025 and \$500,000 of the general fund—federal appropriation are provided solely to develop and implement training programs on emergency preparedness related to climate-related events.

(41) \$200,000 of the general fund—state appropriation for fiscal year 2024, \$200,000 of the general fund—state appropriation for fiscal year 2025, and \$400,000 of the general fund—federal appropriation are provided solely for a pilot project focused on providing translation services for interpreting mandatory training courses offered through the adult family home training network. The department of social and health services must collaborate with the adult family home council and the adult family home training network to assess the pilot project's outcomes. The department of social and health services shall submit a comprehensive report detailing the results to the governor and the appropriate committees of the legislature no later than September 30, 2025.

(42) \$635,000 of the general fund—state appropriation for fiscal year 2024 and \$635,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the current pilot projects to provide personal care services to homeless seniors and people with disabilities from the time the person presents at a shelter to the time they become eligible for medicaid.

(43) \$75,000 of the general fund—state appropriation for fiscal year 2024, \$72,000 of the general fund—state appropriation for fiscal year 2025, and \$147,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(44) \$125,000 of the general fund—state appropriation for fiscal year 2024, \$125,000 of the general fund—state appropriation for fiscal year 2025, and \$250,000 of the general fund—federal appropriation are provided solely for the department, in collaboration with the consumer directed employer and home care agencies, to establish guidelines, collect and analyze data, and research the reasons and timing behind home care workers leaving the workforce.

(45) \$703,000 of the general fund—state appropriation for fiscal year 2024, \$3,297,000 of the general fund—state appropriation for fiscal year 2025, and \$2,735,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(46)(a) \$4,792,000 of the general fund—state appropriation for fiscal year 2024, \$4,894,000 of the general fund—state appropriation for fiscal year 2025, and \$9,881,000 of the general fund—federal appropriation are provided solely to support providers that are ready to accept patients who are in acute care beds and no longer require inpatient care, but are unable to be transitioned to appropriate postacute care settings. These patients are generally referred to as difficult to discharge hospital patients because of their behaviors.

(i) The department shall broaden the current discharge and referral case management practices for difficult to discharge hospital patients waiting in acute care hospitals to include referrals to all long-term care behavioral health settings, including enhanced services facilities, enhanced adult residential care, and enhanced adult residential care with community stability supports contracts or community behavioral health support services, including supportive supervision and oversight and skills development and restoration. These home and community-based providers are contracted to provide various levels of personal care, nursing, and behavior supports for difficult to discharge hospital patients with significant behavior support needs.

(ii) Patients ready to discharge from acute care hospitals with diagnosed behaviors or behavior history, and a likelihood of unsuccessful placement in other licensed long-term care facilities, a history of rejected applications for admissions, or a history of unsuccessful placements shall be fully eligible for referral to available beds in enhanced services facilities or enhanced adult residential care with contracts that adequately meet the patient's long-term care needs.

(iii) Previous or current detention under the involuntary treatment act shall not be a requirement for individuals in acute care hospitals to be eligible for these specialized settings. The department shall develop a standard process for acute care hospitals to refer patients to the department for placement in enhanced services facilities and enhanced adult residential care with contracts to provide behavior support.

(b) The department must adopt a payment model that

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incorporates the following adjustments:

(i) The enhanced behavior services plus and enhanced behavior services respite rates for skilled nursing facilities shall be converted to \$175 per patient per day add-on in addition to daily base rates to recognize additional staffing and care needs for patients with behaviors.

(ii) Enhanced behavior services plus with specialized services rates for skilled nursing facilities shall be converted to \$235 per patient per day add-on on top of daily base rates.

(iii) The ventilator rate add-on for all skilled nursing facilities shall be \$192 per patient per day.

(iv) The tracheotomy rate add-on for all skilled nursing facilities shall be \$123 per patient per day.

(c) Of the amounts provided in (a) of this subsection, \$3,838,000 of the general fund—state appropriation for fiscal year 2024, \$3,917,000 of the general fund—state appropriation for fiscal year 2025, and \$7,911,000 of the general fund—federal appropriation are provided solely for an increase in the daily rate for enhanced services facilities to \$596.10 per patient per day.

(47) \$926,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the deaf and hard of hearing within the department to establish a work group to address the statewide shortage of qualified and certified American sign language interpreters and protactile interpreters. The work group shall focus on developing training and certification standards, developing strategies for increasing interpreter numbers across all communities, for enhancing professional development, and for creating pathways to allow interpreters to be financially supported to work statewide. The work group shall primarily be comprised of individuals who identify as deaf, deafblind, and hard of hearing who use American sign language or protactile, with priority for members from historically marginalized communities. The work group shall provide a final report, including recommendations and a plan for implementation, to the governor and appropriate committees of the legislature by June 30, 2025.

(48) \$830,000 of the general fund—state appropriation for fiscal year 2025 and \$80,000 of the general fund—federal appropriation are provided solely for the department, in collaboration with the office of the insurance commissioner and the health care authority, to develop a plan for a phase-in of an essential worker health benefits program.

(a) By December 15, 2024, the department must submit to the appropriate policy and fiscal committees of the legislature an implementation plan to provide nursing home workers with high quality, affordable health coverage through participating nursing home employers beginning January 1, 2026. The implementation plan should address:

(i) The likelihood that the state can obtain approval of supplemental medicaid payments for the program;

(ii) As assessment of current employee health benefit spending by nursing homes participating in the medicaid program, including current health benefit plan eligibility, plan design, employee cost-sharing, and employer premium contributions;

(iii) A mechanism to ensure that nursing home employers participating in the program maintain spending on health benefits such that medicaid payments supplement and do not supplant their health benefit spending;

(iv) The appropriate structure and oversight of the newly established health benefits fund, including the use of an established Taft-Hartley fund, fully insured health coverage, or a self-funded multiemployer welfare arrangement that offers health benefits comparable to the platinum metal level under the affordable care act, including any statutory or regulatory changes necessary to ensure that the plan meets defined plan design,

consumer protection, and solvency requirements.

(b) In preparing the implementation plan, the department, commissioner, and authority must review the design and impacts of the essential worker health care trust in Oregon and other similar publicly supported programs from other jurisdictions.

(c) The department must consult with interested organizations in development of the implementation plan.

(d) The department may contract with third parties and consult with other state entities to conduct all or any portion of the study, including actuarial analysis.

(e) A minimum of \$750,000 of the amounts provided in this subsection (48) must be contracted with an entity that is managed through a labor-management partnership. This entity must already be providing health care benefits to no fewer than 20,000 long-term care workers in the state of Washington and should have at least five years of experience in administering health care benefits to this workforce. Their joint efforts will focus on examining the health care needs specific to the nursing home workforce in the state, formulating a benefit plan that effectively addresses these needs, determining the financial requirement to offer such benefits, developing informational materials on health benefits tailored for nursing home workers, and establishing procedures and systems necessary for enrolling employees in the plan, subject to legislative appropriation for implementation.

(49) \$25,990,000 of the long-term services and supports trust account—state appropriation is provided solely for the information technology project for the long-term services and supports trust program, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(50) \$12,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the area agencies on aging to maintain senior nutrition services. This includes, but is not limited to, meals at sites, through pantries, and home-delivery.

(51) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington traumatic brain injury strategic partnership advisory council to support at least one in-person support group in each region of the state served by an accountable community of health as defined in RCW 82.04.43395. The council shall provide recommendations to the department on the criteria to be used in selecting the programs to receive funding. The criteria must reflect the diversity of individuals with traumatic brain injuries, including the range of cognitive and financial barriers that individuals with traumatic brain injuries may experience when accessing web-based services. Preference must be given to programs that facilitate support groups led by individuals with direct lived experience with traumatic brain injuries or individuals certified as brain injury specialists. Each program that receives funding under this section must ensure that the in-person or virtual support groups meet at least quarterly and are free of charge. The department must approve at least one facilitation training curriculum specific to brain injury to be used by the programs that receive funding under this section.

(52) \$440,000 of the general fund—state appropriation for fiscal year 2025 and \$560,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1942 (long-term care providers). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(53) \$843,000 of the long-term services and supports trust account—state appropriation is provided solely for the department to create a secure online portal to allow program participants to view a summary statement of their benefits.

(54) \$641,000 of the general fund—state appropriation for fiscal year 2025 and \$641,000 of the general fund—federal

appropriation are provided solely for a 20 percent increase in the rates for adult day care and adult day health.

(55)(a) \$408,000 of the general fund—state appropriation for fiscal year 2025 and \$438,000 of the general fund—federal appropriation are provided for rates paid, effective January 1, 2025, to independent contractor nurses and agency-employed nurses providing private duty nursing, skilled nursing, and private duty nursing in adult family homes.

(b) The department must adopt a payment model that incorporates the following adjustments for independent contractor nurses:

(i) Private duty nursing services shall be \$56.58 per hour by a registered nurse and \$46.49 per hour by a licensed practical nurse.

(ii) Skilled nursing services shall be \$62.93 per day by a registered nurse.

(c) The department must adopt a payment model that incorporates the following adjustments for agency-employed nurses:

(i) Private duty nursing services shall be \$67.89 per hour by a registered nurse and \$55.79 per hour by a licensed practical nurse.

(ii) Skilled nursing services shall be \$75.52 per day by a registered nurse.

(d) Private duty nursing services in an adult family home shall be \$898.95 per day.

(56) \$38,000 of the general fund—state appropriation for fiscal year 2025 and \$39,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1941 (health home serv./children). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(57)(a) Within amounts appropriated in this section, the department shall convene a work group comprised of representatives from the department of social and health services, the department of commerce, the health care authority, and organizations representing relevant assisted living and housing providers utilizing department of housing and urban development housing choice vouchers in assisted living facilities to examine how assisted living facilities can use these vouchers for medicaid residents in a manner that aligns with federal requirements and does not negatively impact receipt of federal medicaid funding.

(b) The work group shall submit a preliminary report by December 1, 2024, to the governor and the appropriate committees of the legislature that includes any findings and policy recommendations for how to use housing and urban development project-based rental vouchers for medicaid residents living in licensed assisted living facilities. The work group findings must identify any barriers within the state and federal systems that would prevent the use of housing and urban development project-based rental vouchers for medicaid residents, including, but not limited to, licensing requirements and duplication of services.

(c) It is the intent of the legislature that this work group will continue its work through September 30, 2025, in order to facilitate completion of a final report to the governor and the appropriate committees of the legislature at that time.

Sec. 205. 2023 c 475 s 205 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ECONOMIC SERVICES PROGRAM

General Fund—State Appropriation (FY 2024)	\$1,694,306,000
.....	(\$606,767,900)
	\$679,581,000
General Fund—State Appropriation (FY 2025)	
.....	(\$604,555,000)
	\$771,647,000
General Fund—Federal Appropriation	(\$1,648,987,000)

General Fund—Private/Local Appropriation	\$5,274,000
Domestic Violence Prevention Account—State	
Appropriation	\$2,404,000
TOTAL APPROPRIATION	(\$2,867,987,000)
	\$3,153,212,000

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

(1)(a) ~~(\$169,050,000)~~ \$177,407,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$164,246,000)~~ \$199,303,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$853,777,000)~~ \$853,786,000 of the general fund—federal appropriation are provided solely for all components of the WorkFirst program. Within the amounts provided for the WorkFirst program, the department may provide assistance using state-only funds for families eligible for temporary assistance for needy families. The department must create a WorkFirst budget structure that allows for transparent tracking of budget units and subunits of expenditures where these units and subunits are mutually exclusive from other department budget units. The budget structure must include budget units for the following: Cash assistance, child care, WorkFirst activities, and administration of the program. Within these budget units, the department must develop program index codes for specific activities and develop allotments and track expenditures using these codes. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature prior to adopting a structure change.

(b) ~~(\$450,773,000)~~ \$482,615,000 of the amounts in (a) of this subsection is for assistance to clients, including grants, diversion cash assistance, and additional diversion emergency assistance including but not limited to assistance authorized under RCW 74.08A.210. The department may use state funds to provide support to working families that are eligible for temporary assistance for needy families but otherwise not receiving cash assistance. Of the amounts provided in this subsection (1)(b):

(i) \$17,315,000 of the general fund—federal appropriation is provided solely to increase the temporary assistance for needy families and state family assistance cash grants by \$100 per month for households with a child under the age of three, effective November 1, 2023. The funding is intended to assist families with the cost of diapers as described in chapter 100, Laws of 2022.

(ii) \$3,060,000 of the general fund—state appropriation for fiscal year 2024, \$4,665,000 of the general fund—state appropriation for fiscal year 2025, and \$19,000,000 of the general fund—federal appropriation are provided solely for the department to increase temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(iii) \$296,000 of the general fund—state appropriation for fiscal year 2024, \$5,293,000 of the general fund—state appropriation for fiscal year 2025, and \$1,089,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). ~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~

(iv) \$632,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the replacement of skimmed or cloned cash benefits for impacted recipients. Benefits may be replaced up to two times each federal fiscal year for the temporary assistance for needy families and the state family assistance program. The replacement of stolen benefits shall align with the supplemental food assistance program benefit replacement guidelines in the consolidated appropriations act, 2023 (136 Stat. 4459). Any unspent funds in this subsection (1)(b)(iv) shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen

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supplemental nutrition assistance program benefits must be replaced, whichever is later.

(v) \$656,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2007 (cash assistance time limits). If this bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(c) (~~(\$167,710,000)~~) \$167,762,000 of the amounts in (a) of this subsection is for WorkFirst job search, education and training activities, barrier removal services, limited English proficiency services, and tribal assistance under RCW 74.08A.040. The department must allocate this funding based on client outcomes and cost effectiveness measures. Within amounts provided in this subsection (1)(c), the department shall implement the working family support program.

(i) \$2,474,000 of the amounts provided in this subsection (1)(c) is for enhanced transportation assistance. The department must prioritize the use of these funds for the recipients most in need of financial assistance to facilitate their return to work. The department must not utilize these funds to supplant repayment arrangements that are currently in place to facilitate the reinstatement of drivers' licenses.

(ii) \$482,000 of the general fund—state appropriation for fiscal year 2024 and \$1,417,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the costs associated with increasing the temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(iii) \$185,000 of the general fund—state appropriation for fiscal year 2024 and \$1,820,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(iv) \$52,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2007 (cash assistance time limits). If this bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(d) Of the amounts in (a) of this subsection, \$353,402,000 of the general fund—federal appropriation is for the working connections child care program under RCW 43.216.020 within the department of children, youth, and families. The department is the lead agency for and recipient of the federal temporary assistance for needy families grant. A portion of this grant must be used to fund child care subsidies expenditures at the department of children, youth, and families.

(i) The department of social and health services shall work in collaboration with the department of children, youth, and families to determine the appropriate amount of state expenditures for the working connections child care program to claim towards the state's maintenance of effort for the temporary assistance for needy families program. The departments will also collaborate to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the annual temporary assistance for needy families reimbursement from the department of social and health services to the department of children, youth, and families.

(ii) Effective December 1, 2023, and annually thereafter, the department of children, youth, and families must report to the governor and the appropriate fiscal and policy committees of the legislature the total state contribution for the working connections child care program claimed the previous fiscal year towards the state's maintenance of effort for the temporary assistance for

needy families program and the total temporary assistance for needy families reimbursement from the department of social and health services for the previous fiscal year.

(e) Of the amounts in (a) of this subsection, \$68,496,000 of the general fund—federal appropriation is for child welfare services within the department of children, youth, and families.

(f) Of the amounts in (a) of this subsection, (~~(\$146,692,000)~~) \$158,221,000 is for WorkFirst administration and overhead. Of the amounts provided in this subsection (1)(f):

(i) \$147,000 of the general fund—state appropriation for fiscal year 2024 and \$69,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for costs associated with increasing the temporary assistance for needy families grants by eight percent, effective January 1, 2024.

(ii) \$204,000 of the general fund—state appropriation for fiscal year 2024, \$179,000 of the general fund—state appropriation for fiscal year 2025, and \$575,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(iii) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to process skimmed or cloned cash benefits for impacted recipients of the temporary assistance for needy families or state family assistance programs. Any unspent funds in this subsection (1)(f)(iii) shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(iv) \$352,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2007 (cash assistance time limits). If this bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(v) \$407,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute House Bill No. 1652 (child support pass through). If this bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(g)(i) The department shall submit quarterly expenditure reports to the governor, the fiscal committees of the legislature, and the legislative WorkFirst poverty reduction oversight task force under RCW 74.08A.341. In addition to these requirements, the department must detail any fund transfers across budget units identified in (a) through (e) of this subsection. The department shall not initiate any services that require expenditure of state general fund moneys that are not consistent with policies established by the legislature.

(ii) The department may transfer up to 10 percent of funding between budget units identified in (b) through (f) of this subsection. The department shall provide notification prior to any transfer to the office of financial management and to the appropriate legislative committees and the legislative-executive WorkFirst poverty reduction oversight task force. The approval of the director of financial management is required prior to any transfer under this subsection.

(h) On January 2nd and July 1st of each year, the department shall provide a maintenance of effort and participation rate tracking report for temporary assistance for needy families to the office of financial management, the appropriate policy and fiscal committees of the legislature, and the legislative-executive WorkFirst poverty reduction oversight task force. The report must detail the following information for temporary assistance for needy families:

(i) An overview of federal rules related to maintenance of

effort, excess maintenance of effort, participation rates for temporary assistance for needy families, and the child care development fund as it pertains to maintenance of effort and participation rates;

(ii) Countable maintenance of effort and excess maintenance of effort, by source, provided for the previous federal fiscal year;

(iii) Countable maintenance of effort and excess maintenance of effort, by source, for the current fiscal year, including changes in countable maintenance of effort from the previous year;

(iv) The status of reportable federal participation rate requirements, including any impact of excess maintenance of effort on participation targets;

(v) Potential new sources of maintenance of effort and progress to obtain additional maintenance of effort;

(vi) A two-year projection for meeting federal block grant and contingency fund maintenance of effort, participation targets, and future reportable federal participation rate requirements; and

(vii) Proposed and enacted federal law changes affecting maintenance of effort or the participation rate, what impact these changes have on Washington's temporary assistance for needy families program, and the department's plan to comply with these changes.

(i) In the 2023-2025 fiscal biennium, it is the intent of the legislature to provide appropriations from the state general fund for the purposes of (a) of this subsection if the department does not receive additional federal temporary assistance for needy families contingency funds in each fiscal year as assumed in the budget outlook.

(2) \$3,545,000 of the general fund—state appropriation for fiscal year 2024 and \$3,545,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for naturalization services.

(3) \$2,366,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services; and \$2,366,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for employment services for refugees and immigrants, of which \$1,774,000 is provided solely for the department to pass through to statewide refugee and immigrant assistance organizations for limited English proficiency pathway services.

(4) On January 1, 2024, and January 1, 2025, the department must report to the governor and the legislature on all sources of funding available for both refugee and immigrant services and naturalization services during the current fiscal year and the amounts expended to date by service type and funding source. The report must also include the number of clients served and outcome data for the clients.

(5) To ensure expenditures remain within available funds appropriated in this section, the legislature establishes the benefit under the state food assistance program, pursuant to RCW 74.08A.120, to be 100 percent of the federal supplemental nutrition assistance program benefit amount.

(6) The department shall review clients receiving services through the aged, blind, or disabled assistance program, to determine whether they would benefit from assistance in becoming naturalized citizens, and thus be eligible to receive federal supplemental security income benefits. Those cases shall be given high priority for naturalization funding through the department.

(7) The department shall continue the interagency agreement with the department of veterans' affairs to establish a process for referral of veterans who may be eligible for veterans' services. This agreement must include out-stationing department of

veterans' affairs staff in selected community service office locations in King and Pierce counties to facilitate applications for veterans' services.

(8) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,500,000)~~ \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operational support of the Washington information network 211 organization.

(9) \$377,000 of the general fund—state appropriation for fiscal year 2024 and \$377,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the consolidated emergency assistance program.

(10) \$560,000 of the general fund—state appropriation for fiscal year 2024 and \$560,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a state-funded employment and training program for recipients of the state's food assistance program.

(11) ~~(\$5,244,000)~~ \$4,999,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$3,805,000)~~ \$6,843,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$21,115,000)~~ \$27,765,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project to create a comprehensive application and benefit status tracker for multiple programs, an application and enrollment portal for multiple programs, and to establish a foundational platform. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(12) ~~(\$3,307,000)~~ \$1,993,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$257,000)~~ \$1,230,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$8,318,000)~~ \$7,576,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project for the discovery, innovation, and customer experience phase. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(13) ~~(\$1,067,000)~~ \$2,267,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$1,067,000)~~ \$2,638,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$4,981,000)~~ \$11,481,000 of the general fund—federal appropriation are provided solely for the integrated eligibility and enrollment modernization project office.

(14) \$189,000 of the general fund—state appropriation for fiscal year 2024 and \$953,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the expansion of the ongoing additional requirements program, effective April 1, 2024. Of the amount provided in this subsection, the maximum amount that may be expended on new items added to the ongoing additional requirements program is \$53,000 in fiscal year 2024 and \$710,000 in fiscal year 2025.

(15)(a) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sponsorship stabilization funds for eligible unaccompanied children and their sponsors and a study to assess needs and develop recommendations for ongoing supports for this population.

(b) Of the amounts provided in (a) of this subsection, \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sponsorship stabilization funds for eligible unaccompanied children and their sponsors in order to address financial hardship and support household well-being. Stabilization funds can be used to support the sponsorship household with costs of housing, childcare, transportation,

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internet and data services, household goods, and other unmet needs. The funds may be provided on behalf of an unaccompanied child when the following eligibility criteria are met:

(i) The unaccompanied child is between the ages of 0-17, has been placed in Washington under the care of a nonparental sponsor following release from the United States office of refugee resettlement custody, and has not been reunified with a parent; and

(ii) The sponsorship household demonstrates financial need and has an income below 250 percent of the federal poverty level. A sponsorship household receiving stabilization funds on behalf of a child who turns 18 may continue to receive funds for an additional 60 days after the child reaches 18 years of age.

(c) The department may work with community-based organizations to administer sponsorship stabilization supports. Up to 10 percent of the amounts provided in (b) of this subsection may be used by the community-based organizations to cover administrative expenses associated with the distribution of these supports.

(d) Of the amounts provided in (a) of this subsection, \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to cover the administrative resources necessary for the department to administer the sponsorship stabilization program and to convene a work group with the department of children, youth, and families, department of commerce's office of homeless youth prevention and programs, stakeholders, and community-based organization who have pertinent information regarding sponsorship households. The work group shall identify and analyze the resource and service needs for unaccompanied children and their sponsors, including the types and levels of financial supports and related services that will promote stability of sponsorship placements for this population.

(i) The department must produce a report that includes an overview of the number of impacted children and sponsors, existing services and supports that are available, any gaps in services, and potential changes to federal programs and policies that could impact unaccompanied children. The report shall include recommendations for how state agencies and community organizations can partner with the federal government to support sponsorship households, proposed services and supports that the state could provide to promote the ongoing stability of sponsorship households, and a recommended service delivery model.

(ii) The department shall submit the report required by (d)(i) of this subsection (15) to the governor and appropriate legislative committees no later than June 30, 2025.

(16) \$111,000 of the general fund—state appropriation for fiscal year 2024, \$1,016,000 of the general fund—state appropriation for fiscal year 2025, and \$21,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs) for the aged, blind, or disabled, refugee cash assistance, pregnant women assistance, and consolidated emergency assistance programs. ~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~

(17) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to contract with an organization located in Seattle with expertise in culturally and linguistically appropriate communications and outreach to conduct an outreach, education, and media campaign related to communities significantly impacted by or at risk for benefits trafficking, skimming, or other fraudulent activities, with

particular focus on immigrant, refugee, migrant, and senior populations. This campaign must provide community-focused, culturally and linguistically appropriate education and assistance targeted to meet the needs of each community and related to safeguarding public assistance benefits provided through an electronic benefit card and how to avoid the trafficking or skimming of benefits. To the extent practical, the department must make available information and data to refine this campaign for those communities most impacted to ensure inclusion of any relevant groups not already identified in this provision. The contracted organization, in collaboration with the department, must focus its outreach in highly impacted geographic areas including, but not limited to, Burien, Federal Way, Kent, Lynnwood, White Center, West Seattle, Seattle's International District, Chinatown, and the Central District, Yakima and other identified locations.

(18) \$10,881,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$10,131,000)~~ \$10,416,000 of the general fund—state appropriation for fiscal year 2025, \$6,734,000 of the general fund—federal appropriation, and \$2,404,000 of the domestic violence prevention account—state appropriation are provided solely for domestic violence victim services. Of the amounts provided in this subsection(~~;~~):

(a) \$750,000 of the general fund—state appropriation for fiscal year 2024 must be distributed to domestic violence services providers proportionately, based upon bed capacity; and

(b) \$285,000 of the general fund—state appropriation for fiscal year 2025 must be distributed to domestic violence emergency shelters that are experiencing a reduction in compensation/FTE enhancements funding from the department of social and health services, and funding must be used to continue current service levels to survivors of domestic violence. Funding in this subsection (b) must be allocated as follows:

(i) \$70,000 is for a department-contracted shelter providing services in Thurston county;

(ii) \$50,000 is for a department-contracted shelter providing services in Spokane county;

(iii) \$45,000 is for a department-contracted shelter providing services in Lewis county;

(iv) \$40,000 is for a department-contracted shelter providing services in eastern Clallam county;

(v) \$30,000 is for a department-contracted shelter providing services in northern Yakima county;

(vi) \$25,000 is for a department-contracted shelter providing services in Mason county; and

(vii) \$25,000 is for a department-contracted shelter providing services in Cowlitz county.

(19) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to meet the terms of its settlement agreement with the United States department of agriculture (USDA).

(a) Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to repay USDA as part of the settlement agreement.

(b) Of the amounts provided in this subsection, \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to fund employment and training program services and activities (~~for~~) targeted to able-bodied adults without dependents receiving food benefits from the USDA supplemental nutrition assistance program, but open to all basic food employment and training participants including participants who are not able-bodied adults without

dependents.

(20) \$3,844,000 of the general fund—state appropriation for fiscal year 2024, \$7,921,000 of the general fund—state appropriation for fiscal year 2025, and \$1,374,000 of the general fund—federal appropriation are provided solely for the department to increase the aged, blind, or disabled, refugee cash assistance, pregnant women assistance, and consolidated emergency assistance grants by eight percent, effective January 1, 2024.

(21) \$950,000 of the general fund—state appropriation for fiscal year 2024 and \$950,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonprofit organization in Pierce county to continue the operation of the guaranteed basic income program in Tacoma.

(22) \$58,000 of the general fund—state appropriation for fiscal year 2024 and \$59,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Substitute Senate Bill No. 5398 (domestic violence funding). ~~(If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~

(23) \$113,000 of the general fund—state appropriation for fiscal year 2024, \$1,487,000 of the general fund—state appropriation for fiscal year 2025, and \$1,599,000 of the general fund—federal appropriation are provided solely to fully integrate the asset verification system into the automated client eligibility system (ACES).

(24) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$34,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement the changes made to the state supplemental payment program in chapter 201, Laws of 2023.

(25) \$51,000 of the general fund—state appropriation for fiscal year 2024 and \$178,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the staffing necessary to process medical assistance cases resulting from the July 1, 2024, implementation for the apple health expansion program.

(26) \$1,393,000 of the general fund—state appropriation for fiscal year 2024, \$5,888,000 of the general fund—state appropriation for fiscal year 2025, and \$6,995,000 of the general fund—federal appropriation are provided solely for the transition of the automated client eligibility system (ACES) mainframe hardware operations to cloud technologies, using an enterprise contracted service through the consolidated technology services agency. Funding is subject to the conditions, limitations, and review requirements of section 701 of this act.

(27) \$5,024,000 of the general fund—state appropriation for fiscal year 2024, \$7,206,000 of the general fund—state appropriation for fiscal year 2025, and \$12,230,000 of the general fund—federal appropriation are provided solely for the implementation of the summer electronic benefit transfer program for the summer break months following the 2023-2024 and 2024-2025 school years. The program implementation must align with the federal summer electronic benefit program requirements defined in the consolidated appropriations act, 2023 (136 Stat. 4459). The department may use a third-party entity to administer the program.

(28) \$10,904,000 of the general fund—state appropriation for fiscal year 2024, \$464,000 of the general fund—state appropriation for fiscal year 2025, and \$10,921,000 of the general fund—federal appropriation are provided solely to cover the increased costs of the maintenance and operations of the automated client eligibility system (ACES), including but not limited to a one-time vendor transition.

(29) \$251,000 of the general fund—state appropriation for fiscal year 2025 and \$21,000 of the general fund—federal appropriation are provided solely to process and replace skimmed

or cloned cash and food benefits for impacted recipients. Benefits may be replaced up to two times each federal fiscal year for the pregnant women assistance, refugee cash assistance, aged, blind, or disabled assistance, and state food assistance program. The replacement of stolen cash and food benefits shall align with the supplemental food assistance program benefit replacement guidelines in the consolidated appropriations act, 2023 (136 Stat. 4459). Any unspent funds in this subsection shall lapse on September 30, 2024, or on the date that the federal government ends the requirement that stolen supplemental nutrition assistance program benefits must be replaced, whichever is later.

(30)(a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the office of refugee and immigrant assistance to expand support services for individuals newly arriving to the United States and Washington who do not qualify for federal refugee resettlement program services. Support services include, but are not limited to, housing assistance, food, transportation, childhood education services, education and employment supports, connection to legal services, and social services navigation.

(b) Of the amounts in (a) of this subsection, \$250,000 for fiscal year 2024 and \$750,000 for fiscal year 2025 are provided solely for school districts who have seen a significant increase in McKinney-Vento students seeking asylum with the opportunity to receive grants that provide students in their district with additional education opportunities and family supports.

(c) Of the amounts in (a) of this subsection, \$700,000 for fiscal year 2025 is provided solely for members of the Sub-Saharan African community.

(d) Of the amounts in (a) of this subsection, \$810,000 for fiscal year 2025 is provided solely for staffing at the office of refugee and immigrant assistance to cover the administrative expenses of implementing this subsection.

(31)(a) \$593,000 of the general fund—state appropriation for fiscal year 2024, \$1,406,000 of the general fund—state appropriation for fiscal year 2025, and \$193,000 of the general fund—federal appropriation are provided solely to implement changes made through the fiscal responsibility act of 2023 (137 Stat. 10) for the supplemental nutrition assistance program's work requirements for able-bodied adults without dependents, and the corresponding impacts to the state food assistance program.

(b) Of the amounts in (a) of this subsection, \$104,000 of the general fund—state appropriation for fiscal year 2024, \$115,000 of the general fund—state appropriation for fiscal year 2025, and \$193,000 of the general fund—federal appropriation are provided solely for administrative and information technology expenses.

(32)(a) \$236,000 of the general fund—state appropriation for fiscal year 2024, \$3,367,000 of the general fund—state appropriation for fiscal year 2025, and \$1,329,000 of the general fund—federal appropriation are provided solely for the department to hire additional public benefit specialists to help reduce the call center and lobby wait times within the community services division.

(b) \$1,878,000 of the general fund—state appropriation for fiscal year 2024, \$3,660,000 of the general fund—state appropriation for fiscal year 2025, and \$3,541,000 of the general fund—federal appropriation are provided solely for technology enhancements and project governance necessary to create efficiencies that will reduce call center and lobby wait times for customers of the community services division. Enhancements include, but are not limited to, chatbots, robotic process automation, interactive voice response, and document upload. The amounts provided in this subsection (32)(b) are subject to the conditions, limitations, and review requirements of section 701 of this act.

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(c) By June 30, 2025, the department must submit a report to the governor and the legislature that shows the prior fiscal year's call and lobby wait times by month and queue, number of customer contacts by month and queue, processing times for the various queues for the three most recent fiscal years along with an explanation for any changes to the most recent year's processing times, number of filled public benefit specialists 3 positions and vacancies by month, wait time impacts associated with the individual technology solution enhancements, any telephonic savings experienced due to fewer customers waiting on hold, and recommendations to continue reducing customer wait times.

Sec. 206. 2023 c 475 s 206 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—VOCATIONAL REHABILITATION PROGRAM

General Fund—State	Appropriation	(FY 2024)	
			.....((\$26,670,000))
			<u>\$26,677,000</u>
General Fund—State	Appropriation	(FY 2025)	
			.....((\$26,962,000))
			<u>\$26,976,000</u>
General Fund—Federal Appropriation			.....\$110,047,000
TOTAL APPROPRIATION			.....((\$163,679,000))
			<u>\$163,700,000</u>

Sec. 207. 2023 c 475 s 207 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—SPECIAL COMMITMENT PROGRAM

General Fund—State	Appropriation	(FY 2024)	
			.....((\$82,011,000))
			<u>\$81,273,000</u>
General Fund—State	Appropriation	(FY 2025)	
			.....((\$81,976,000))
			<u>\$80,519,000</u>
TOTAL APPROPRIATION			.....((\$163,987,000))
			<u>\$161,792,000</u>

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

(1) The special commitment center may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

((4)) (2)(a) \$125,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to:

(i) Explore regulatory framework options for conditional release less restrictive alternative placements and make recommendations for a possible future framework. This exploration shall include collaboration with the department of corrections regarding their community custody programs;

(ii) Review and refine agency policies regarding communication and engagement with impacted local governments related to less restrictive alternatives, including exploring options for public facing communications on current county fair share status and any projected future need;

(iii) Identify opportunities for greater collaboration and possible fiscal support for local government entities regarding placements of conditional release less restrictive alternatives; and

(iv) Provide recommendations to improve cost-effectiveness of all less restrictive alternative placements.

(b) The department shall submit a report to the governor and appropriate fiscal and policy committees of the legislature by December 1, 2023, with a summary of the results and provide any additional recommendations to the legislature that the department identifies. The report shall also include a summary of costs to the

department for contracted and uncontracted less restrictive alternatives.

((5)) (3) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to conduct an assessment of wireless internet implementation needs and options, and must include an assessment of satellite and fiber options. The department shall provide a report that includes the assessment and estimated implementation time frame and costs to the appropriate committees of the legislature by December 15, 2023.

(4) \$189,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to establish one position for a special commitment center communications manager to support information sharing to the public related to conditional release for less restrictive alternative placements.

(5) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6106 (DSHS workers/PERS). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 208. 2023 c 475 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund—State	Appropriation	(FY 2024)	
			.....((\$49,968,000))
			<u>\$50,946,000</u>
General Fund—State	Appropriation	(FY 2025)	
			.....((\$50,544,000))
			<u>\$62,924,000</u>
General Fund—Federal Appropriation			.....((\$57,444,000))
			<u>\$62,593,000</u>
Climate Commitment Account—State	Appropriation		.....\$2,000,000
TOTAL APPROPRIATION			.....((\$157,956,000))
			<u>\$178,463,000</u>

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

(1) Within amounts appropriated in this section, the department shall provide to the department of health, where available, the following data for all nutrition assistance programs funded by the United States department of agriculture and administered by the department. The department must provide the report for the preceding federal fiscal year by February 1, 2024, and February 1, 2025. The report must provide:

- (a) The number of people in Washington who are eligible for the program;
- (b) The number of people in Washington who participated in the program;
- (c) The average annual participation rate in the program;
- (d) Participation rates by geographic distribution; and
- (e) The annual federal funding of the program in Washington.

(2) \$5,000 of the general fund—state appropriation for fiscal year 2024, \$22,000 of the general fund—state appropriation for fiscal year 2025, and \$14,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium as provided in section 907 of this act.

(3) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the joint legislative and executive committee on behavioral health

established in (~~section 135 of this act~~) section 133 of this act.

(4) ~~\$115,000 of the general fund—state appropriation for fiscal year 2024, \$111,000 of the general fund—state appropriation for fiscal year 2025, and \$64,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(5) ~~\$100,000 of the general fund—state appropriation for fiscal year 2024, \$96,000 of the general fund—state appropriation for fiscal year 2025, and \$149,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5497 (medicaid expenditures). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) ~~\$231,000 of the general fund—state appropriation for fiscal year 2024 and \$65,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5304 (language access/testing). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(7)(a) \$4,876,000 of the general fund—state appropriation for fiscal year 2025 and \$2,961,000 of the general fund—federal appropriation are provided solely for the system for integrated leave, attendance, and scheduling (SILAS) project and is subject to the conditions, limitations, and review requirements of section 701 of this act. Funding is provided solely for continued project expansion at the:

- (i) Yakima Valley school;
- (ii) Maple Lane campus;
- (iii) Brockmann campus;
- (iv) Rainier school; and
- (v) Fircrest school.

(b) By July 1, 2024, the department must submit a report to the appropriate committees of the legislature to include, at least, the implementation schedule and budget plans by facility deployment for each of the facilities listed in (a) of this subsection.

(c) By June 30, 2025, the department must submit a report to the appropriate committees of the legislature to include, but not be limited to, how funding was spent compared to the spending plan and the actual roll out by facility compared to the implementation schedule for each facility that the SILAS solution was planned and/or implemented at in the prior 12 calendar months.

(8) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the research and data analysis division of the department to analyze historical trends of admissions for felony civil conversion cases based on behavioral health administrative service organization regions. The research and data analysis division must create a report that provides information on the monthly averages for admission by region and any information about trends or cycles, and shall make a recommendation about how best to predict and model future admissions for this population by region. The report must be submitted to the governor, office of financial management, and appropriate committees of the legislature no later than November 1, 2024.

(9) \$2,000,000 of the climate commitment account—state appropriation is provided solely for the department to pilot a statewide network of community assemblies fully centered on overburdened communities as defined in RCW 70A.02.010. The department must select topics for community assemblies that fall within its authority or must consult and coordinate with the agency who has authority on the proposed topic before selection. These assemblies will elevate community expertise and solutions to budget and policy makers on sustainable investments to create

a more climate resilient Washington. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(10) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the research and data analysis division of the department to conduct a study of the costs to expand apple health categorically needy coverage for SSI-related individuals who meet the criteria in WAC 182-512-0050. The study shall provide the cost of expanding medicaid services to individuals at the following percentages of the federal poverty level: 75 percent, 80 percent, 85 percent, 90 percent, 95 percent, and 100 percent. The study should also provide the cost of eliminating the state asset limits at each of these income increments. The study must be submitted to the appropriate committees of the legislature by December 1, 2024.

(11)(a) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to complete a gap analysis of the existing housing and health care system and provide a report to the legislature detailing its findings. This report shall include, but not be limited to, a review of existing models related to individuals experiencing:

- (i) Housing instability who have significant medical and/or behavioral health needs, including the inability to stay in or return to their current housing;
- (ii) Homelessness and/or a significant history of being unhoused, including permanent supportive housing residents; and
- (iii) Significant health-related social needs that are not severe enough to qualify for placement in existing facilities, but are too significant to be met in a shelter or permanent supportive housing.

(b) The gap analysis shall also include a review of:

- (i) Hospitals with patients that have resolved the acute hospital-level needs of the patient, but cannot discharge patients to the community because there is no appropriate lower level of care available; and
- (ii) Permanent supportive housing and shelter providers with residents whose medical needs exceed the location's ability to provide care.

(c) The department shall provide recommendations to fill the gaps identified in (a) and (b) of this subsection, which may include creation of complex care locations and enhanced behavioral health supports until an individual qualifies for either a higher or lower level of care.

(d) This report must be submitted to the appropriate committees of the legislature by December 1, 2024.

Sec. 209. 2023 c 475 s 209 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PAYMENTS TO OTHER AGENCIES PROGRAM

General Fund—State	Appropriation (FY 2024)	
.....	.....	(\$63,781,000)
		\$66,435,000
General Fund—State	Appropriation (FY 2025)	
.....	.....	(\$60,934,000)
		\$85,489,000
General Fund—Federal Appropriation.....		(\$60,794,000)
		\$62,969,000
TOTAL APPROPRIATION		(\$185,509,000)
		\$214,893,000

The appropriations in this section are subject to the following conditions and limitations: Within the amounts appropriated in this section, the department must extend master property insurance to all buildings owned by the department valued over \$250,000 and to all locations leased by the department with

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contents valued over \$250,000.

Sec. 210. 2023 c 475 s 210 (uncodified) is amended to read as follows:

FOR THE STATE HEALTH CARE AUTHORITY

(1)(a) During the 2023-2025 fiscal biennium, the health care authority shall provide support and data as required by the office of the state actuary in providing the legislature with health care actuarial analysis, including providing any information in the possession of the health care authority or available to the health care authority through contracts with providers, plans, insurers, consultants, or any other entities contracting with the health care authority.

(b) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the health care authority are subject to technical oversight by the office of the chief information officer.

(2) The health care authority shall not initiate any services that require expenditure of state general fund moneys unless expressly authorized in this act or other law. The health care authority may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the health care authority receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation providing appropriation authority, and an equal amount of appropriated state general fund moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(3)(a) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(b) The health care authority must submit a report on November 1, 2023, and annually thereafter, to the fiscal committees of the legislature. The report must include, at a minimum:

(i) A list of active coalition projects as of July 1st of the fiscal year. This must include all current and ongoing coalition projects, which coalition agencies are involved in these projects, and the funding being expended on each project, including in-kind funding. For each project, the report must include which federal requirements each coalition project is working to satisfy, and when each project is anticipated to satisfy those requirements; and

(ii) A list of coalition projects that are planned in the current and following fiscal year. This must include which coalition agencies are involved in these projects, including the anticipated in-kind funding by agency, and if a budget request will be submitted for funding. This must reflect all funding required by fiscal year and by fund source and include the budget outlook period.

(4) The appropriations to the health care authority in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, unless prohibited by this act, the authority may transfer general fund—state appropriations for fiscal year 2024 among programs after approval by the director of the office of financial management. To the extent that appropriations in this section are insufficient to fund actual expenditures in excess of caseload forecast and utilization assumptions, the authority may transfer general fund—state appropriations for fiscal year 2024 that are provided solely for a specified purpose. The authority may not transfer funds, and the director of the office of financial management shall not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of the office of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any allotment modifications or transfers under this subsection. The written notification must include a narrative explanation and justification of changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications and transfers.

Sec. 211. 2023 c 475 s 211 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—
MEDICAL ASSISTANCE**

General Fund—State Appropriation (FY 2024)	(\$2,682,912,000))
	<u>\$2,853,617,000</u>
General Fund—State Appropriation (FY 2025)	(\$2,672,393,000))
	<u>\$2,976,729,000</u>
General Fund—Federal Appropriation.....	(\$15,431,138,000))
	<u>\$16,820,407,000</u>
General Fund—Private/Local Appropriation	(\$1,074,465,000))
	<u>\$1,252,273,000</u>
Dedicated Cannabis Account—State Appropriation (FY 2024).....	(\$25,544,000))
	<u>\$24,105,000</u>
Dedicated Cannabis Account—State Appropriation (FY 2025).....	(\$28,936,000))
	<u>\$23,212,000</u>
Emergency Medical Services and Trauma Care Systems Trust Account—State Appropriation.....	\$15,086,000
Family Medicine Workforce Development Account—State Appropriation	\$7,000,000
Hospital Safety Net Assessment Account—State Appropriation	(\$1,524,493,000))
	<u>\$1,517,493,000</u>
Long-Term Services and Supports Trust Account—State Appropriation	\$314,000
Medical Aid Account—State Appropriation	\$540,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation	(\$21,606,000))
	<u>\$11,624,000</u>
Telebehavioral Health Access Account—State Appropriation	(\$8,394,000))

	<u>\$8,318,000</u>
Ambulance Transport Fund—State	Appropriation
.....	((\$13,872,000))
	<u>\$14,316,000</u>
TOTAL APPROPRIATION.....	((\$23,499,379,000))
	<u>\$25,525,034,000</u>

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

(1) The authority shall submit an application to the centers for medicare and medicaid services to renew the 1115 demonstration waiver for an additional five years as described in subsections (2), (3), and (4) of this section. The authority may not accept or expend any federal funds received under an 1115 demonstration waiver except as described in this section unless the legislature has appropriated the federal funding. To ensure compliance with legislative requirements and terms and conditions of the waiver, the authority shall implement the renewal of the 1115 demonstration waiver and reporting requirements with oversight from the office of financial management. The legislature finds that appropriate management of the renewal of the 1115 demonstration waiver as set forth in subsections (2), (3), and (4) of this section requires sound, consistent, timely, and transparent oversight and analytic review in addition to lack of redundancy with other established measures. The patient must be considered first and foremost in the implementation and execution of the demonstration waiver. To accomplish these goals, the authority shall develop consistent performance measures that focus on population health and health outcomes. The authority shall limit the number of projects that accountable communities of health may participate in under initiative 1 to a maximum of six and shall seek to develop common performance measures when possible. The joint select committee on health care oversight will evaluate the measures chosen: (a) For effectiveness and appropriateness; and (b) to provide patients and health care providers with significant input into the implementation of the demonstration waiver to promote improved population health and patient health outcomes. In cooperation with the department of social and health services, the authority shall consult with and provide notification of work on applications for federal waivers, including details on waiver duration, financial implications, and potential future impacts on the state budget to the joint select committee on health care oversight prior to submitting these waivers for federal approval. Prior to final approval or acceptance of funds by the authority, the authority shall submit the special terms and conditions as submitted to the centers for medicare and medicaid services and the anticipated budget for the duration of the renewed waiver to the governor, the joint select committee on health care, and the fiscal committees of the legislature. By federal standard any programs created or funded by this waiver do not create an entitlement. The demonstration period for the waiver as described in subsections (2), (3), and (4) of this section begins July 1, 2023.

(2)(a) (~~(\$150,219,000)~~) \$342,398,000 of the general fund—federal appropriation and (~~(\$150,219,000)~~) \$213,592,000 of the general fund—local appropriation are provided solely for accountable communities of health described in initiative 1 of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. In renewing this initiative, the authority shall consider local input regarding community needs and shall limit total local projects to no more than six. To provide transparency to the appropriate fiscal committees of the legislature, the authority shall provide fiscal staff of the legislature query ability into any database of the fiscal intermediary that authority staff would be authorized to access. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in

this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the fiscal committees of the legislature all expenditures under this subsection and provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) (~~(\$438,515,000)~~) \$467,787,000 of the general fund—federal appropriation and (~~(\$179,111,000)~~) \$191,068,000 of the general fund—private/local appropriation are provided solely for the medicaid quality improvement program and this is the maximum amount that may be expended for this purpose. Medicaid quality improvement program payments do not count against the 1115 demonstration waiver spending limits and are excluded from the waiver's budget neutrality calculation. The authority may provide medicaid quality improvement program payments to apple health managed care organizations and their partnering providers as they meet designated milestones. Partnering providers and apple health managed care organizations must work together to achieve medicaid quality improvement program goals according to the performance period timelines and reporting deadlines as set forth by the authority. The authority may only use the medicaid quality improvement program to support initiatives 1, 2, and 3 as described in the 1115 demonstration waiver and may not pursue its use for other purposes. Any programs created or funded by the medicaid quality improvement program do not constitute an entitlement for clients or providers. The authority shall not supplement the amounts provided in this subsection with any general fund—state, general fund—federal, or general fund—local moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight not less than quarterly on financial and health outcomes. The director shall report to the fiscal committees of the legislature all expenditures under this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(c) In collaboration with the accountable communities of health, the authority will submit a report to the governor and the joint select committee on health care oversight describing how each of the accountable community of health's work aligns with the community needs assessment no later than December 1, 2023.

(d) Performance measures and payments for accountable communities of health shall reflect accountability measures that demonstrate progress toward transparent, measurable, and meaningful goals that have an impact on improved population health and improved health outcomes, including a path to financial sustainability. While these goals may have variation to account for unique community demographics, measures should be standardized when possible.

(3) (~~(\$115,713,000)~~) \$87,665,000 of the general fund—federal appropriation and (~~(\$115,725,000)~~) \$87,666,000 of the general fund—local appropriation are provided solely for long-term support services as described in initiative 2 of the 1115 demonstration waiver as well as administrative expenses for initiative 3 and this is the maximum amount that may be expended for this purpose. The authority shall contract with and provide funding to the department of social and health services to administer initiative 2. The director in cooperation with the secretary of the department of social and health services shall report to the office of financial management all of the expenditures of this section and shall provide such fiscal data in the time, manner, and form requested. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section.

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(4)(a) ~~(((\$54,912,000))~~ \$46,450,000 of the general fund—federal appropriation and ~~(((\$30,162,000))~~ \$21,432,000 of the general fund—local appropriation are provided solely for supported housing and employment services described in initiative 3a and 3b of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the department or its third-party administrator. The authority and the department, in consultation with the medical assistance expenditure forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(b) ~~((The authority and the department shall seek))~~ \$28,156,000 of the general fund—federal appropriation and \$22,067,000 of the general fund—local appropriation are provided solely for additional ((flexibilities for)) housing supports ((through the centers for medicare and medicaid services and shall coordinate with the office of financial management and the department of commerce to ensure that services are not duplicated)) described in the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. The authority shall not supplement the amounts provided in this subsection with any general fund—state moneys appropriated in this section or any moneys that may be transferred pursuant to subsection (1) of this section. The director shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The director shall also report to the fiscal committees of the legislature all of the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(c) The director shall report to the joint select committee on health care oversight no less than quarterly on utilization and caseload statistics for both supportive housing and employment services and its progress toward increasing uptake and availability for these services.

(5) \$1,432,000 of the general fund—state appropriation for fiscal year 2024 and \$3,008,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for supported employment services and \$1,478,000 of the general fund—state appropriation for fiscal year 2024 and \$3,162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for supported housing services, similar to the services described in initiatives 3a and 3b of the 1115 demonstration waiver to individuals who are ineligible for medicaid. Under these initiatives, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the authority or its third-party administrator. Before authorizing services, eligibility for initiative 3a or 3b of the 1115 demonstration waiver must first be determined.

(6) Sufficient amounts are appropriated in this subsection to implement the medicaid expansion as defined in the social security act, section 1902(a)(10)(A)(i)(VIII).

(7) The legislature finds that medicaid payment rates, as

calculated by the health care authority pursuant to the appropriations in this act, bear a reasonable relationship to the costs incurred by efficiently and economically operated facilities for providing quality services and will be sufficient to enlist enough providers so that care and services are available to the extent that such care and services are available to the general population in the geographic area. The legislature finds that the cost reports, payment data from the federal government, historical utilization, economic data, and clinical input constitute reliable data upon which to determine the payment rates.

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

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

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

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

(12) ~~(((\$4,176,000))~~ \$4,261,000 of the general fund—state appropriation for fiscal year 2024, \$4,261,000 of the general fund—state appropriation for fiscal year 2025, and ~~(((\$8,607,000))~~ \$8,522,000 of the general fund—federal appropriation are provided solely for low-income disproportionate share hospital payments.

(13) Within the amounts appropriated in this section, the health care authority shall provide disproportionate share hospital payments to hospitals that provide services to children in the children's health program who are not eligible for services under Title XIX or XXI of the federal social security act due to their citizenship status.

(14) \$7,000,000 of the general fund—federal appropriation is provided solely for supplemental payments to nursing homes operated by public hospital districts. The public hospital district shall be responsible for providing the required nonfederal match for the supplemental payment, and the payments shall not exceed the maximum allowable under federal rules. It is the legislature's intent that the payments shall be supplemental to and shall not in any way offset or reduce the payments calculated and provided in accordance with part E of chapter 74.46 RCW. It is the legislature's further intent that costs otherwise allowable for rate-setting and settlement against payments under chapter 74.46 RCW shall not be disallowed solely because such costs have been paid by revenues retained by the nursing home from these supplemental payments. The supplemental payments are subject to retrospective interim and final cost settlements based on the nursing homes' as-filed and final medicare cost reports. The timing of the interim and final cost settlements shall be at the health care authority's discretion. During either the interim cost settlement or the final cost settlement, the health care authority shall recoup from the public hospital districts the supplemental payments that exceed the medicaid cost limit and/or the medicare upper payment limit. The health care authority shall apply federal rules for identifying the eligible incurred medicaid costs and the medicare upper payment limit.

(15) The health care authority shall continue the inpatient hospital certified public expenditures program for the 2023-2025 fiscal biennium. The program shall apply to all public hospitals, including those owned or operated by the state, except those classified as critical access hospitals or state psychiatric institutions. The health care authority shall submit reports to the governor and legislature by November 1, 2023, and by November 1, 2024, that evaluate whether savings continue to exceed costs for this program. If the certified public expenditures (CPE) program in its current form is no longer cost-effective to maintain, the health care authority shall submit a report to the governor and legislature detailing cost-effective alternative uses of local, state, and federal resources as a replacement for this program. During fiscal year 2024 and fiscal year 2025, hospitals in the program shall be paid and shall retain 100 percent of the federal portion of the allowable hospital cost for each medicaid inpatient fee-for-service claim payable by medical assistance and 100 percent of the federal portion of the maximum disproportionate share hospital payment allowable under federal regulations. For the purpose of determining the amount of any state grant under this subsection, payments will include the federal portion of medicaid program supplemental payments received by the hospitals. Inpatient medicaid payments shall be established using an allowable methodology that approximates the cost of claims submitted by the hospitals. Payments made to each hospital in the program in each fiscal year of the biennium shall be compared to a baseline amount. The baseline amount will be determined by the total of (a) the inpatient claim payment amounts that would have been paid during the fiscal year had the hospital not been in the CPE program based on the reimbursement rates developed, implemented, and consistent with policies approved in the 2023-2025 biennial operating appropriations act and in effect on July 1, 2015, (b) one-half of the indigent assistance disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005, and (c) all of the other disproportionate share hospital payment amounts paid to and retained by each hospital during fiscal year 2005 to the extent the same disproportionate share hospital programs exist in the 2019-2021 fiscal biennium. If payments during the fiscal year exceed the hospital's baseline amount, no additional payments will be made to the hospital except the federal portion of allowable disproportionate share hospital payments for which the hospital can certify allowable match. If payments during the fiscal year are less than the baseline amount, the hospital will be paid a state grant equal to the difference between payments during the fiscal year and the applicable baseline amount. Payment of the state grant shall be made in the applicable fiscal year and distributed in monthly payments. The grants will be recalculated and redistributed as the baseline is updated during the fiscal year. The grant payments are subject to an interim settlement within 11 months after the end of the fiscal year. A final settlement shall be performed. To the extent that either settlement determines that a hospital has received funds in excess of what it would have received as described in this subsection, the hospital must repay the excess amounts to the state when requested. ~~(\$237,000 of the general fund—state appropriation for fiscal year 2024 and \$218,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for state grants for the participating hospitals.)~~

(16) The health care authority shall seek public-private partnerships and federal funds that are or may become available to provide ongoing support for outreach and education efforts under the federal children's health insurance program reauthorization act of 2009.

(17) The health care authority shall target funding for maternity support services towards pregnant women with factors that lead

to higher rates of poor birth outcomes, including hypertension, a preterm or low birth weight birth in the most recent previous birth, a cognitive deficit or developmental disability, substance abuse, severe mental illness, unhealthy weight or failure to gain weight, tobacco use, or African American or Native American race. The health care authority shall prioritize evidence-based practices for delivery of maternity support services. To the extent practicable, the health care authority shall develop a mechanism to increase federal funding for maternity support services by leveraging local public funding for those services.

(18) The authority shall submit reports to the governor and the legislature by September 15, 2023, and no later than September 15, 2024, that delineate the number of individuals in medicaid managed care, by carrier, age, gender, and eligibility category, receiving preventative services and vaccinations. The reports should include baseline and benchmark information from the previous two fiscal years and should be inclusive of, but not limited to, services recommended under the United States preventative services task force, advisory committee on immunization practices, early and periodic screening, diagnostic, and treatment (EPSDT) guidelines, and other relevant preventative and vaccination medicaid guidelines and requirements.

(19) Managed care contracts must incorporate accountability measures that monitor patient health and improved health outcomes, and shall include an expectation that each patient receive a wellness examination that documents the baseline health status and allows for monitoring of health improvements and outcome measures.

(20) Sufficient amounts are appropriated in this section for the authority to provide an adult dental benefit.

(21) The health care authority shall coordinate with the department of social and health services to provide referrals to the Washington health benefit exchange for clients that will be ineligible for medicaid.

(22) To facilitate a single point of entry across public and medical assistance programs, and to maximize the use of federal funding, the health care authority, the department of social and health services, and the health benefit exchange will coordinate efforts to expand HealthPlanfinder access to public assistance and medical eligibility staff. The health care authority shall complete medicaid applications in the HealthPlanfinder for households receiving or applying for medical assistance benefits.

(23) \$90,000 of the general fund—state appropriation for fiscal year 2024, \$90,000 of the general fund—state appropriation for fiscal year 2025, and \$180,000 of the general fund—federal appropriation are provided solely to continue operation by a nonprofit organization of a toll-free hotline that assists families to learn about and enroll in the apple health for kids program.

(24) Within the amounts appropriated in this section, the authority shall reimburse for primary care services provided by naturopathic physicians.

(25) Within the amounts appropriated in this section, the authority shall continue to provide coverage for pregnant teens that qualify under existing pregnancy medical programs, but whose eligibility for pregnancy related services would otherwise end due to the application of the new modified adjusted gross income eligibility standard.

(26) Sufficient amounts are appropriated in this section to remove the mental health visit limit and to provide the shingles vaccine and screening, brief intervention, and referral to treatment benefits that are available in the medicaid alternative benefit plan in the classic medicaid benefit plan.

(27) The authority shall use revenue appropriated from the dedicated cannabis account for contracts with community health centers under RCW 69.50.540 in lieu of general fund—state

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payments to community health centers for services provided to medical assistance clients, and it is the intent of the legislature that this policy will be continued in subsequent fiscal biennia.

(28) Beginning no later than July 1, 2018, for any service eligible under the medicaid state plan for encounter payments, managed care organizations at the request of a rural health clinic shall pay the full published encounter rate directly to the clinic. At no time will a managed care organization be at risk for or have any right to the supplemental portion of the claim. Payments will be reconciled on at least an annual basis between the managed care organization and the authority, with final review and approval by the authority.

(29) Sufficient amounts are appropriated in this section for the authority to provide a medicaid equivalent adult dental benefit to clients enrolled in the medical care service program.

(30) During the 2023-2025 fiscal biennium, sufficient amounts are provided in this section for the authority to provide services identical to those services covered by the Washington state family planning waiver program as of August 2018 to individuals who:

- (a) Are 19 years of age;
- (b) Are at or below 260 percent of the federal poverty level as established in WAC 182-505-0100;
- (c) Are not covered by other public or private insurance; and
- (d) Need family planning services and are not currently covered by or eligible for another medical assistance program for family planning.

~~((32))~~ (31)(a) The authority shall ensure that appropriate resources are dedicated to implementing the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report. Additionally, the authority shall:

(i) Work to ensure the efficient operations of the managed care plans, including but not limited to, a deconflicting process for audits with and among the managed care plans and the medicaid fraud division at the attorney general's office, to ensure the authority staff perform central audits of cases that appear across multiple managed care plans, versus the audits performed by the individual managed care plans or the fraud division;

(ii) Remain accountable for operating in an effective and efficient manner, including performing program integrity activities that ensure high value in the medical assistance program in general and in medicaid managed care specifically;

(iii) Work with its contracted actuary and the medical assistance expenditure forecast work group to develop methods and metrics related to managed care program integrity activity that shall be incorporated into annual rate setting; and

(iv) Work with the medical assistance expenditure forecast work group to ensure the results of program integrity activity are incorporated into the rate setting process in a transparent, timely, measurable, quantifiable manner.

(b) \$50,000 of the general fund—state appropriation for fiscal year 2024, \$50,000 of the general fund—state appropriation for fiscal year 2025, and \$100,000 of the general fund—federal appropriation are provided solely for the authority to consider, as part of its program integrity activities, whether it is providing economical, efficient, and quality prescription drug services through its administrative services model and the quantifiable cost and benefit of this service delivery method. The authority must establish an annual reporting requirement for all covered entities participating in the 340B drug pricing program that receive medicaid funds under this section; and the authority shall provide at an aggregate level, broken down by covered entities defined by 42 U.S.C. §256b(a)(4)(A)-(O), the following minimum information to the governor and fiscal committees of

the legislature no later than October 15, 2023:

(i) The cost and benefits of providing these prescription drug benefits through a carved-out fee-for-service benefit, both total cost and net of rebates;

(ii) The cost and benefits of providing these prescription drug benefits through a carved-in managed care benefit, both total cost and net of rebates;

(iii) The cost and benefits of providing these prescription drug benefits through the administrative services model, both total and net of rebates;

(iv) The community benefit attributable to 340B providers as a result of the administrative services or carved-in model as compared to each other and as compared to the carved-out model; and

(v) The federal financial participation provided to the state under each of these models.

(c) The authority shall submit a report to the governor and appropriate committees of the legislature by October 1, 2023, that includes, but is not limited to:

(i) Specific, quantified actions that have been taken, to date, related to the recommendations of the centers for medicare and medicaid services center for program integrity as provided to the authority in the January 2019 Washington focused program integrity review final report;

(ii) Specific, quantified information regarding the work done with its contracted actuary and the medical assistance expenditure forecast expenditure work group to develop methods and metrics related to managed care program integrity activity that shall be incorporated into annual rate setting;

(iii) Specific, quantified information regarding the work done with the medical assistance expenditure forecast work group to ensure the results of program integrity activity are incorporated into the rate setting process in a transparent, timely, measurable, quantifiable manner;

(iv) Accounting by fiscal year, medicaid eligibility group, and service beginning with state fiscal year 2020 to include all program integrity recoveries attributable to the authority, including how these recoveries are categorized, to which year they are reported, how these recoveries are applied against legislative savings requirements, and what recoveries are attributable to the office of the attorney general's medicaid fraud control division and how these recoveries are considered when reporting program integrity activity and determining managed care rates; and

(v) Information detailing when the agency acquired a new fraud and abuse detection system and to what extent this system is being utilized.

~~((33))~~ (32)(a) The authority shall not enter into any future value-based arrangements with federally qualified health centers or rural health clinics prior to receiving approval from the office of financial management and the appropriate committees of the legislature.

(b) The authority shall not modify the reconciliation process with federally qualified health centers or rural health clinics without notification to and the opportunity to comment from the office of financial management.

(c) The authority shall require all managed care organizations to provide information to the authority to account for all payments to rural health clinics and federally qualified health centers to include how payments are made, including any additional payments and whether there is a sub-capitation arrangement or value-based purchasing arrangement.

(d) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall reconcile on an annual basis with rural health clinics and federally qualified health centers.

(e) Beginning with fiscal year 2021 and for each subsequent year thereafter, the authority shall properly accrue for any anticipated reconciliations with rural health clinics and federally qualified health centers during the fiscal year close process following generally accepted accounting practices.

~~((34))~~ (33) Within the amounts appropriated in this section, the authority is to include allergen control bed and pillow covers as part of the durable medical equipment benefit for children with an asthma diagnosis enrolled in medical assistance programs.

~~((35))~~ Within the amounts appropriated in this section, the authority shall reimburse for maternity services provided by doulas.

~~((36))~~ (34) \$23,000 of the general fund—state appropriation for fiscal year 2024, \$324,000 of the general fund—state appropriation for fiscal year 2025, and \$469,000 of the general fund—federal appropriation are provided solely for the reimbursement of services provided by doulas for apple health clients consistent with utilization and uptake assumptions anticipated by the authority in its report to the legislature on December 1, 2020. The centers for medicare and medicaid services must approve a state plan amendment to reimburse for doula services prior to the implementation of this policy.

(35) Sufficient funds are provided in this section for the authority to extend continuous eligibility for apple health to children ages zero to six with income at or below 215 percent of the federal poverty level. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

~~((37))~~ (36) Sufficient funds are provided to continue reimbursing dental health aid therapists for services performed in tribal facilities for medicaid clients. The authority must leverage any federal funding that may become available as a result of appeal decisions from the centers for medicare and medicaid services or the United States court of appeals for the ninth circuit.

~~((38))~~ (37) Within the amounts appropriated in this section, the authority shall implement the requirements of RCW 74.09.830 (postpartum health care) and the American rescue plan act of 2021, P.L. 117-2, in extending health care coverage during the postpartum period. The authority shall make every effort to expedite and complete eligibility determinations for individuals who are likely eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act to ensure the state is receiving maximum federal match. This includes, but is not limited to, working with managed care organizations to provide continuous outreach in various modalities until the individual's eligibility determination is completed. Beginning June 1, 2022, the authority must submit quarterly reports to the caseload forecast work group on the number of individuals who are likely eligible to receive health care coverage under Title XIX or Title XXI of the federal social security act but are waiting for the authority to complete eligibility determination, the number of individuals who were likely eligible but are now receiving health care coverage with the maximum federal match under Title XIX or Title XXI of the federal social security act, and outreach activities including the work with managed care organizations.

~~((39))~~ (38) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the perinatal support warm line to provide peer support, resources, and referrals to new and expectant parents and people in the emotional transition to parenthood experiencing, or at risk of, postpartum depression or other mental health issues.

~~((40))~~ (39) Sufficient funding is provided to remove the asset test from the medicare savings program review process.

~~((41))~~ (40) Sufficient funding is provided to eliminate the mid-certification review process for the aged, blind, or disabled

and housing and essential needs referral programs.

~~((42))~~ (41) \$403,000 of the general fund—state appropriation for fiscal year 2025 and \$1,185,000 of the general fund—federal appropriation are provided solely for an adult acupuncture benefit beginning January 1, 2025.

~~((43))~~ (42) \$581,000 of the general fund—state appropriation for fiscal year 2025 and \$1,706,000 of the general fund—federal appropriation are provided solely for an adult chiropractic benefit beginning January 1, 2025.

~~((44))~~ (43)(a) \$4,109,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$2,055,000)~~ \$4,204,000 of the general fund—state appropriation for fiscal year 2025, and \$1,214,000 of the general fund—federal appropriation are provided solely for the authority to ~~(establish a two year)~~ continue the grant program for reimbursement for services to patients up to age 18 provided by community health workers in primary care clinics whose patients are significantly comprised of pediatric patients enrolled in medical assistance under chapter 74.09 RCW ~~(beginning January 1, 2023)~~ until June 30, 2025. Community health workers may receive merit increases within this funding. Community health workers funded under this subsection may provide outreach, informal counseling, and social supports for health-related social needs. ~~(The authority shall seek a state plan amendment or federal demonstration waiver should they determine these services are eligible for federal matching funds.)~~ Within the amounts provided in this subsection, the authority will provide ~~(an initial report to the governor and appropriate committees of the legislature by January 1, 2024, and)~~ a final report by ~~(January 1, 2025))~~ June 30, 2025. The report shall include, but not be limited to ~~(the)~~:

(i) The quantitative impacts of the grant program ~~(how)~~;

(ii) How many community health workers are participating in the grant program ~~(how)~~;

(iii) How many clinics these community health workers represent ~~(how)~~;

(iv) How many clients are being served ~~(and evaluation)~~;

(v) Evaluation of any measurable health outcomes identified in the planning period prior to January 2023; and

(vi) The number of children who received community health worker services between June 1, 2023, and June 30, 2024. For the children who received community health worker services within this period, the authority must compare the following data to children of the same ages and languages receiving coverage through apple health: Well-child visits; mental health services when a need is identified; and emergency department utilization.

(b) ~~(In collaboration with key stakeholders including pediatric primary care clinics and medicaid managed care organizations, the authority shall explore longer term, sustainable reimbursement options for the integration of community health workers in primary care to address the health related social needs of families, including approaches to incorporate federal funding.)~~ To the extent that funds are appropriated, the authority must establish a community health worker benefit under the medical assistance program, as codified at Title XIX of the federal social security act, the state children's health insurance program, as codified at Title XXI of the federal social security act, and any other federal funding sources that are now available or may become available, pursuant to approval from the center for medicare and medicaid services.

~~((45))~~ (44) \$1,635,000 of the general fund—state appropriation for fiscal year 2024, \$1,024,000 of the general fund—state appropriation for fiscal year 2025, and \$1,765,000 of the general fund—federal appropriation are provided solely for a technology solution for an authoritative client identifier, or master person index, for state programs within the health and human services coalition to uniformly identify clients across multiple

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service delivery systems. The coalition will clearly identify all state programs impacted by and all fund sources used in development and implementation of this project. This subsection is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((46))~~ (45)(a) Sufficient amounts are appropriated in this section for the authority to provide coverage for all federal food and drug administration-approved HIV antiviral drugs without prior authorization. This coverage must be provided to apple health clients enrolled in both fee-for-service and managed care programs.

(b) Beginning July 1, 2023, upon initiation or renewal of a contract with the authority to administer a medicaid managed care plan, a managed care health care system shall provide coverage without prior authorization for all federal food and drug administration-approved HIV antiviral drugs.

(c) By December 1, 2023, and December 1, 2024, the authority must submit to the fiscal committees of the legislature the projected and actual expenditures and percentage of medicaid clients who switch to a new drug class without prior authorization as described in (a) and (b) of this subsection.

~~((47))~~ (46) The authority shall consider evidence-based recommendations from the Oregon health evidence review commission when making coverage decisions for the treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute-onset neuropsychiatric syndrome.

~~((48))~~ (47) \$2,120,000 of the general fund—state appropriation for fiscal year 2024, \$2,120,000 of the general fund—state appropriation for fiscal year 2025, and \$9,012,000 of the general fund—federal appropriation are provided solely to increase advanced life support code A0426 by 64 percent, basic life support base rates for nonemergency ambulance transports code A0428 by 80 percent, and mileage for both nonemergency and emergency ambulance transportation code A0425 by 35 percent, beginning July 1, 2023.

~~((49))~~ (48) \$2,047,000 of the general fund—state appropriation for fiscal year 2024, \$3,390,000 of the general fund—state appropriation for fiscal year 2025, and \$5,135,000 of the general fund—federal appropriation are provided solely to increase reimbursement rates by 20 percent for applied behavior analysis codes 0362T and 0373T for individuals with complex behavioral health care needs; and by 15 percent for all other applied behavior analysis codes with the exception of Q3014, beginning January 1, 2024.

~~((50))~~ (49) \$280,000 of the general fund—state appropriation for fiscal year 2024 and \$1,992,000 of the general fund—federal appropriation are provided solely for modular replacement costs of the ProviderOne pharmacy point of sale system and are subject to the conditions, limitations, and review provided in section 701 of this act.

~~((51))~~ (50) \$709,000 of the general fund—state appropriation for fiscal year 2024, \$1,410,000 of the general fund—state appropriation for fiscal year 2025, and \$4,075,000 of the general fund—federal appropriation are provided solely to maintain and increase access for behavioral health services through increased provider rates. The rate increases are effective January 1, 2024, and must be applied to the following codes for children and adults enrolled in the medicaid program: 90785, 90791, 90832, 90833, 90834, 90836, 90837, 90838, 90845, 90846, 90847, 90849, 90853, 96156, 96158, 96159, 96164, 96165, 96167, 96168, 96170, 96171, H0004, H0023, H0036, and H2015. The authority may use a substitute code in the event that any of the codes identified in this subsection are discontinued and replaced with an updated code covering the same service. Within the amounts

provided in this subsection the authority must:

(a) Implement this rate increase in accordance with the process established in RCW 71.24.885 (medicaid rate increases);

(b) Raise the state fee-for-service rates for these codes by up to 7 percent, except that the state medicaid rate may not exceed the published medicare rate or an equivalent relative value unit rate if a published medicare rate is not available;

(c) Require in contracts with managed care organizations that, beginning January 2024, managed care organizations pay no lower than the fee-for-service rate for these codes, and adjust managed care capitation rates accordingly; and

(d) Not duplicate rate increases provided in subsection ~~((52))~~ (51) of this section.

~~((52))~~ (51) \$1,055,000 of the general fund—state appropriation for fiscal year 2025 and \$2,046,000 of the general fund—federal appropriation are provided solely to maintain and increase access for primary care services for medicaid-enrolled patients through increased provider rates beginning January 1, 2025. Within the amounts provided in this subsection the authority must:

(a) Increase the medical assistance rates for adult primary care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(b) Increase the medical assistance rates for pediatric primary care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(c) Increase the medical assistance rates for pediatric critical care, neonatal critical care, and neonatal intensive care services that are reimbursed solely at the existing medical assistance rates on a fee-for-service basis, as well as through managed care plans, by at least 2 percent above medical assistance rates in effect on January 1, 2023;

(d) Apply reimbursement rates required under this subsection to payment codes in a manner consistent with the temporary increase in medicaid reimbursement rates under federal rules and guidance in effect on January 1, 2014, implementing the patient protection and affordable care act, except that the authority may not require provider attestations;

(e) Pursue state plan amendments to require medicaid managed care organizations to increase rates under this subsection through adoption of a uniform percentage increase for network providers pursuant to 42 C.F.R. Sec. 438.6(c)(1)(iii)(B), as existing on January 1, 2023; and

(f) Not duplicate rate increases provided in subsection ~~((51))~~ (50) of this section.

~~((53))~~ (52) The authority shall seek a waiver from the federal department of health and human services necessary to implement the requirements of RCW 74.09.670 (medical assistance benefits—incarcerated or committed persons—suspension). Additionally, the authority shall ~~((explore expanding))~~ implement its waiver application for prerelease services ~~((from 30))~~ up to 90 days; and provide the governor and fiscal committees of the legislature estimates of costs for implementation or maintenance of effort requirements of this expansion prior to entering into agreement with the centers for medicare and medicaid services.

(a) \$124,000 of the general fund—state appropriation for fiscal year 2025, \$60,925,000 of the general fund—federal appropriation, and \$60,785,000 of the general fund—private/local appropriation are provided solely for prerelease services including, but not limited to, case management, clinical consultations, medication assisted therapy, community health

worker services, 30-day supply of medications, durable medical equipment, medications, laboratory services, and radiology services.

(b) The authority shall coordinate with the department of corrections for prison reentry implementation pursuant to the waiver terms. The authority will coordinate with tribes, other state agencies, and jail administrations as necessary to achieve the terms of the 1115 medicaid transformation waiver. The authority shall use its statutory reentry advisory work group and subgroups as necessary to coordinate with partners to achieve these goals.

~~((54))~~ (53) Within the amounts appropriated in this section the authority in collaboration with UW Medicine shall explore funding options for clinical training programs including, but not limited to, family medical practice, psychiatric residencies, advanced registered nurse practitioners, and other primary care providers. Options should include, but not be limited to, shifting direct medicaid graduate medical education payments or indirect medicaid graduate medical education payments, or both, from rates to a standalone program. The authority in collaboration with UW Medicine shall submit a report outlining its findings to the office of financial management and the fiscal committees of the legislature no later than December 1, 2023.

~~((55))~~ (54) \$143,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(56))~~ (55) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5532 (small rural hospital payment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(57))~~ (56) \$56,000 of the general fund—state appropriation for fiscal year 2024, \$111,000 of the general fund—state appropriation for fiscal year 2025, and \$166,000 of the general fund—federal appropriation are provided solely for the authority to increase pediatric palliative care rates to the equivalent medicare rates paid for hospice care in effect October 1, 2022, beginning January 1, 2024.

~~((58))~~ (57) \$598,000 of the general fund—state appropriation for fiscal year 2024 and \$591,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for work required of the authority as specified in RCW 41.05.840 (universal health care commission). Of the amounts provided in this subsection:

(i) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$216,000 of the general fund—state appropriation for fiscal year 2025 are for staff dedicated to contract procurement, meeting coordination, legislative reporting, federal application requirements, and administrative support;

(ii) \$132,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are for additional staff dedicated to the work of the finance technical advisory committee; and

(iii) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are for consultant services, dedicated actuarial support, and economic modeling.

~~((59))~~ (58) \$2,395,000 of the general fund—state appropriation for fiscal year 2024, \$2,395,000 of the general fund—state appropriation for fiscal year 2025, and \$10,178,000 of the general fund—federal appropriation are provided solely to increase air ambulance-fixed wing code A0430 by 189 percent, air ambulance-rotary wing code A0431 by 265 percent, fixed wing air mileage code A0435 by 57 percent, and rotary wing air mileage code A0436 by 68 percent, beginning July 1, 2023.

~~((60))~~ (59) \$37,000 of the general fund—state appropriation for fiscal year 2024, \$73,000 of the general fund—state appropriation for fiscal year 2025, and \$218,000 of the general fund—federal appropriation are provided solely for the authority to increase the allowable number of periodontal treatments to up to four per 12 month period for apple health eligible adults, ages 21 and over, with a current diagnosis of diabetes, beginning January 1, 2024.

~~((61))~~ (60)(a) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$3,960,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one-time bridge grants to hospitals or birth centers in financial distress or at risk of limiting access to labor and delivery services due to a low-volume of deliveries at the hospital.

(b) To qualify for these grants, a hospital or birth center must:

(i) Be located in Washington and not be part of a system of three or more hospitals;

(ii) Serve individuals enrolled in state and federal medical assistance programs;

(iii) Continue to maintain a medicaid population at similar utilization levels as ~~((in calendar year 2022))~~ the most current complete calendar year data;

(iv) Be necessary for an adequate provider network for the medicaid program;

(v) Demonstrate a plan for long-term financial sustainability; and

(vi) Meet one of the following criteria:

(A) Lack adequate cash-on-hand to remain financially solvent;

(B) Have experienced financial losses during ~~((hospital fiscal year 2022; or))~~ the most current complete calendar year data;

(C) Be at risk of bankruptcy;

(D) Be at risk of closing labor and delivery services; or

(E) Be at risk of limiting access to labor and delivery services due to a low-volume of deliveries at the hospital as defined in (f)(i) and (ii) of this subsection.

(c) Of the amounts ~~((appropriated))~~ provided in this subsection for fiscal year 2024, \$4,000,000 must be distributed to a hospital that meets the qualifications in subsection (b) and is located on tribal land.

(d) Of the amounts provided in this subsection for fiscal year 2025, \$1,360,000 must be distributed to a hospital that:

(i) Is certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2014;

(ii) Had fewer than 150 acute care licensed beds in fiscal year 2011;

(iii) Has a level III adult trauma service designation from the department of health as of January 1, 2014; and

(iv) Is owned and operated by the state or a political subdivision.

(e) Of the amounts provided in this subsection for fiscal year 2025, \$1,000,000 must be distributed to birth centers that meet the qualification in (b)(vi)(D) of this subsection. Facilities receiving funding under this subsection (e) shall provide the authority with a documented plan for how the funds will be invested in labor and delivery services and an accounting at the end of the fiscal year for how the funds were expended.

(f) Of the amounts provided in this subsection for fiscal year 2025, \$1,600,000 must be distributed in grant amounts not to exceed \$200,000 per hospital to a hospital that:

(i) Has had fewer than 200 births funded by medicaid in the hospital's labor and delivery unit in the previous calendar year according to health care authority records; and

(ii) Is located in a municipality with a population of less than 50,000.

~~((62))~~ (61)(a) Sufficient funds are provided in this section for

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an outpatient directed payment program.

(b) The authority shall:

(i) Maintain the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to expand the medicaid outpatient directed payment program for hospital outpatient services provided to medicaid program managed care recipients by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals;

(iii) Direct managed care organizations to make payments to eligible providers at levels required to ensure enrollees have timely access to critical high-quality care as allowed under 42 C.F.R. 438.6(c); and

(iv) Increase medicaid payments for hospital outpatient services provided by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals to the average payment received from commercial payers.

(c) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals.

(d) Participating hospitals shall retain the full amount of payments provided under this program.

~~((63))~~ (62)(a) No more than \$200,661,000 of the general fund—federal appropriation and no more than \$91,430,000 of the general fund—local appropriation may be expended for an inpatient directed payment program.

(b) The authority shall:

(i) Design the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to create a medicaid inpatient directed payment program for hospital inpatient services provided to medicaid program managed care recipients by UW Medicine hospitals and, at their option, UW Medicine affiliated hospitals;

(iii) Upon approval, direct managed care organizations to make payments to eligible providers at levels required to ensure enrollees have timely access to critical high-quality care as allowed under 42 C.F.R. 438.6(c); and

(iv) Increase medicaid payments for hospital inpatient services provided by UW Medicine and, at their option, UW Medicine affiliated hospitals to the average payment received from commercial payers.

(c) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals.

(d) Participating hospitals shall retain the full amount of payments provided under this program.

(e) Participating hospitals will provide the local funds to fund the required nonfederal contribution.

(f) This program shall be effective as soon as administratively possible.

~~((64))~~ (63) Within the amounts appropriated in this section, the authority shall maintain and increase access for family planning services for patients seeking services through department of health sexual and reproductive health program family planning providers based on the rates in effect as of July 1, 2022.

~~((65))~~ (64)(a) ~~((9,563,000))~~ \$5,063,000 of the general fund—state appropriation for fiscal year 2024, ~~((12,727,000))~~ \$17,227,000 of the general fund—state appropriation for fiscal year 2025, and \$259,000 of the general fund—federal appropriation are provided solely for the authority to implement a ~~((five site))~~ pilot program for difficult to discharge individuals

as described in ~~((section 135(12) of this act))~~ section 133(11) of this act.

(b) The authority shall work in collaboration with the contractor and task force identified in ~~((section 135(12) of this act))~~ section 133(11) of this act to carry out the goals and objectives of the pilot program, including but not limited to:

(i) Providing enhanced care management and wraparound services that shall be provided by or delegated by managed care pilot participants, based on services currently provided by the Harborview medical center program;

(ii) Providing incentive payments to participating post acute care providers;

(iii) Developing home and community services assessment timeliness requirements for pilot participants in cooperation with the department of social and health services; and

(iv) Providing reimbursement for administrative support through Harborview medical center for the duration of the pilot project, including training and education to support pilot participants.

(c) Of the amounts provided in this subsection, \$44,000 of the general fund—state appropriation for fiscal year 2024, \$42,000 of the general fund—state appropriation for fiscal year 2025, and \$259,000 of the general fund—federal appropriation are provided solely for the authority to provide staff support to the difficult to discharge task force described in ~~((section 135(12) of this act))~~ section 133(11) of this act, including any associated ad hoc subgroups.

~~((66))~~ (65)(a) Within the amounts appropriated in this section the authority, in consultation with the health and human services enterprise coalition, community-based organizations, health plans, accountable communities of health, and safety net providers, shall determine the cost and implementation impacts of a statewide community information exchange (CIE). A CIE platform must serve as a tool for addressing the social determinants of health, defined as nonclinical community and social factors such as housing, food security, transportation, financial strain, and interpersonal safety, that affect health, functioning, and quality-of-life outcomes.

(b) Prior to issuing a request for proposals or beginning this project, the authority must work with stakeholders in (a) of this subsection to determine which platforms already exist within the Washington public and private health care system to determine interoperability needs and fiscal impacts to both the state and impacted providers and organizations that will be using a single statewide community information exchange platform.

(c) The authority shall provide the office of financial management and fiscal committees of the legislature a proposal to leverage medicaid enterprise financing or other federal funds prior to beginning this project and shall not expend funds under a 1115 waiver or any other waiver without legislative authorization.

~~((This subsection))~~ \$4,817,000 of the general fund—federal appropriation and \$4,817,000 of the general fund—private/local appropriation are provided solely for the authority to implement the community information exchange program. The technology solution chosen by the health care authority should be capable of interoperating with other state funded systems in Washington and should be able to electronically refer individuals to services using a closed-loop referral process. Funding for the community information exchange program is subject to the conditions, limitations, and review requirements of section 701 of this act.

~~((67))~~ (66) \$252,000 of the general fund—state appropriation for fiscal year 2024 and \$252,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff dedicated to data review, analysis, and management, and policy analysis in support of the health care cost transparency board as

described in chapter 70.390 RCW.

~~((68))~~ (67) \$76,000 of the general fund—state appropriation for fiscal year 2024, \$76,000 of the general fund—state appropriation for fiscal year 2025, \$152,000 of the general fund—federal appropriation, and \$606,000 of the telebehavioral health access account—state appropriation are provided solely for additional staff support for the mental health referral service for children and teens.

~~((69))~~ (68) \$1,608,000 of the general fund—state appropriation for fiscal year 2024, \$2,015,000 of the general fund—state appropriation for fiscal year 2025, and \$3,681,000 of the general fund—federal appropriation are provided solely for a rate increase for the health homes program for fee-for-service enrollees, beginning July 1, 2023.

~~((70))~~ (69) \$295,000 of the general fund—state appropriation for fiscal year 2024, \$307,000 of the general fund—state appropriation for fiscal year 2025, and \$123,000 of the general fund—federal appropriation are provided solely for the first approach skills training program through the partnership access line.

~~((71))~~ (70)(a) ~~((358,000))~~ \$362,000 of the general fund—state appropriation for fiscal year 2024, ~~((358,000))~~ \$482,000 of the general fund—state appropriation for fiscal year 2025, and ~~((568,000))~~ \$895,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1357 (prior authorization) and the center for medicare and medicaid services' interoperability and prior authorization final rule (CMS-0057-F). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(b) The authority, in collaboration with managed care organizations, must provide a report to the office of financial management and the fiscal committees of the legislature no later than December 1, 2023, outlining any challenges experienced by carriers in hiring sufficient numbers and types of staff to comply with the prior authorization response times required by Engrossed Second Substitute House Bill No. 1357 (prior authorization).

~~((72))~~ (71) \$9,369,000 of the general fund—state appropriation for fiscal year 2025 and \$22,611,000 of the general fund—federal appropriation are provided solely for an increase in medicaid reimbursement rates for professional services, beginning July 1, 2024, as follows:

(a) Service categories including diagnostics, intense outpatient, opioid treatment programs, emergency room, inpatient and outpatient surgery, inpatient visits, low-level behavioral health, office administered drugs, and other physician services are increased up to 50 percent of medicare rates.

(b) Service categories including office and home visits and consults are increased up to 65 percent of medicare rates.

(c) Service categories including maternity services are increased up to 100 percent of medicare rates.

~~((73))~~ \$21,606,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$2,946,000 of the general fund—federal appropriation are provided solely for the 988 technology platform implementation project. These amounts are subject to the conditions, limitations, and review provided in section 701 of this act and any requirements as established in Engrossed Second Substitute House Bill No. 1134 (988 system).

~~((74))~~ (72) \$11,624,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$1,151,000 of the general fund—federal appropriation are provided solely for the 988 technology platform implementation project as described in RCW 71.24.890 (5) and (6). These amounts are subject to the conditions, limitations, and review requirements provided in section 701 of this act and any requirements as established in Senate Bill No. 6308 (extending timelines for implementation of

the 988 system). The authority must actively collaborate with consolidated technology services and the department of health so that the statewide 988 technology solutions will be coordinated and interoperable.

~~((75))~~ (73) \$969,000 of the general fund—state appropriation for fiscal year 2024, \$1,938,000 of the general fund—state appropriation for fiscal year 2025, and \$3,024,000 of the general fund—federal appropriation are provided solely for the authority, beginning January 1, 2024, to increase the children's dental rate for procedure code D1120 by at least 40 percent above the medical assistance fee-for-service rate in effect on January 1, 2023.

~~((76))~~ (74) \$300,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a grant to the nonprofit foundation managing the Washington patient safety coalition to support the communication and resolution programs certification program to improve outcomes for patients by providing in-depth feedback to health care organizations.

~~((77))~~ (75) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue a public-private partnership with a state-based oral health foundation to connect medicaid patients to dental services and reduce barriers to accessing care. The authority shall submit a progress report to the appropriate committees of the legislature by June 30, 2024.

~~((78))~~ (76) \$103,000 of the general fund—state appropriation for fiscal year 2024, \$205,000 of the general fund—state appropriation for fiscal year 2025, and \$442,000 of the general fund—federal appropriation are provided solely to increase birth center facility fee reimbursement to \$2,500 and home birth kit reimbursement to \$500 for providers approved by the authority within the planned home births and births in birth centers program.

~~((79))~~ (77) \$90,000 of the general fund—state appropriation for fiscal year 2024, \$45,000 of the general fund—state appropriation for fiscal year 2025, and \$133,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1435 (home care safety net assess.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~((80))~~ (78) \$194,000 of the general fund—state appropriation for fiscal year 2024, \$1,724,000 of the general fund—state appropriation for fiscal year 2025 and \$1,918,000 of the general fund—federal appropriation are provided solely for the authority in coordination with the department of social and health services to develop and implement a Katie Beckett 1115 demonstration waiver. The authority shall limit enrollment to 1,000 clients during the waiver period. Based upon the experience developed during the waiver period, the authority shall make recommendations to the legislature for a future tax equity and fiscal responsibility act state plan option.

~~((81))~~ (79) \$1,089,000 of the general fund—state appropriation for fiscal year 2024, \$2,231,000 of the general fund—state appropriation for fiscal year 2025, and \$2,657,000 of the general fund—federal appropriation are provided solely for kidney dialysis services for medicaid-enrolled patients through increased reimbursement rates beginning January 1, 2024. Within the amounts provided in this subsection, the authority must increase the medical assistance rates for revenue code 0821 billed with procedure code 90999 and revenue codes 0831, 0841, and 0851, when reimbursed on a fee-for-service basis or through managed care plans, by at least 30 percent above the fee-for-service composite rates in effect on January 1, 2023.

~~((82))~~ (80) \$1,360,000 of the general fund—state appropriation for fiscal year 2024 and \$3,252,000 of the general

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fund—federal appropriation are provided solely to increase the rates paid to rural hospitals that meet the criteria in (a) through (d) of this subsection. Payments for state and federal medical assistance programs for services provided by such a hospital, regardless of the beneficiary's managed care enrollment status, must be increased to 150 percent of the hospital's fee-for-service rates. The authority must discontinue this rate increase after June 30, 2024, and return to the payment levels and methodology for these hospitals that were in place as of January 1, 2018. Hospitals participating in the certified public expenditures program may not receive increased reimbursement for inpatient services. Hospitals qualifying for this rate increase must:

(a) Be certified by the centers for medicare and medicaid services as sole community hospitals as of January 1, 2014;

(b) Have had less than 150 acute care licensed beds in fiscal year 2011;

(c) Have a level III adult trauma service designation from the department of health as of January 1, 2014; and

(d) Be owned and operated by the state or a political subdivision.

~~((82))~~ (81) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with a medicaid managed care organization for continuous coverage beginning January 1, 2024, for individuals under age 26 that were enrolled in the unaccompanied refugee minor program as authorized by the office of refugee and immigrant assistance. There are no residency, social security number, or citizenship requirements to receive the continuous coverage as described in this subsection.

~~((83))~~ (82)(a) ~~(\$45,696,000)~~ \$221,000 of the general fund—state appropriation for fiscal year 2024 and \$71,037,000 of the general fund—state appropriation for fiscal year 2025 ~~((*))~~ are provided solely for the authority, beginning July 1, 2024, to implement a program with coverage comparable to the amount, duration, and scope of care provided in the categorically needy medicaid program for adult individuals who:

(i) Have an immigration status making them ineligible for federal medicaid or federal subsidies through the health benefit exchange;

(ii) Are age 19 and older, including over age 65, and have countable income of up to 138 percent of the federal poverty level; and

(iii) Are not eligible for another full scope federally funded medical assistance program, including any expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(b) Within the amounts provided in this subsection, the authority shall use the same eligibility, enrollment, redetermination and renewal, and appeals procedures as categorically needy medicaid, except where flexibility is necessary to maintain privacy or minimize burden to applicants or enrollees.

(c) The authority in collaboration with the health benefit exchange, the department of social and health services, and community organizations must develop and implement an outreach and education campaign.

(d) The authority must provide the following information to the governor's office and appropriate committees of the legislature by February 1st and November 1st of each year:

(i) Actual and forecasted expenditures;

(ii) Actual and forecasted data from the caseload forecast council; and

(iii) The availability and impact of any federal program or proposed rule that expands access to health care for the population described in this subsection, such as the expansion of medicaid

coverage for deferred action for childhood arrivals recipients.

(e) The amount provided in this subsection is the maximum amount allowable for the purposes of this program.

~~((84))~~ (83)(a) \$604,000 of the general fund—state appropriation for fiscal year 2024, \$2,528,000 of the general fund—state appropriation for fiscal year 2025, and \$3,132,000 of the general fund—federal appropriation are provided solely for the authority to increase the eligibility threshold for the qualified medicare beneficiary program to up to 110 percent of the federal poverty level.

(b) The authority shall seek to maximize the availability of the qualified individual program through the centers for medicare and medicaid services.

(c) The authority may adopt any rules necessary to administer this subsection. Nothing in this subsection limits the authority's existing rule-making authority related to medicare savings programs.

~~((85))~~ (84) \$361,000 of the general fund—state appropriation for fiscal year 2024, \$766,000 of the general fund—state appropriation for fiscal year 2025, and \$2,093,000 of the general fund—federal appropriation are provided solely for the costs of, and pursuant to the conditions prescribed for, implementing the rate increase directed in section 215(44) for children for whom base funding for community behavioral health services is provided within this section.

(85)(a) \$1,301,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the health care cost transparency board and the implementation of Second Engrossed Substitute House Bill No. 1508 (health care cost board).

(b) Of the amounts provided in this subsection, \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the health care cost transparency board, in conjunction with the health care authority, to study:

(i) Regulatory approaches to encouraging compliance with the health care cost growth benchmark established under chapter 70.390 RCW; and

(ii) Best practices from other states regarding the infrastructure of state health care cost growth programs, including the scope, financing, staffing, and agency structure of such programs.

(c) The board may conduct all or part of the study through the authority, by contract with a private entity, or by arrangement with another state agency conducting related work.

(d) The study, as well as any recommendations for changes to the health care cost transparency board arising from the study, must be submitted by the board as part of the annual report required under RCW 70.390.070, no later than December 1, 2024.

(86) The authority must enter into an interagency agreement with consolidated technology services for the federal funding authority for the electronic health records statewide solution given the authority is the single state agency responsible for reporting to the federal government on the application for and use of the federal funding.

(87) Within the amounts appropriated in this section, the authority shall make administrative and system changes in anticipation of receiving federal authority to provide continuous eligibility for children ages zero to six covered through the apple health children's health insurance program. The centers for medicare and medicaid services must approve the section 1115 medicaid waiver prior to the implementation of this policy.

(88)(a) No more than \$42,809,000 of the general fund—federal appropriation and no more than \$13,314,000 of the general fund—local appropriation may be expended for a medicaid managed care multidisciplinary graduate medical education direct payment program.

(b) Participating hospitals are:

(i) University of Washington medical center, a state-owned and operated teaching hospital; and

(ii) Harborview medical center, a state-operated teaching hospital.

(c) The authority shall:

(i) Design the program to support the state's access and other quality of care goals and to not increase general fund—state expenditures;

(ii) Seek approval from the centers for medicare and medicaid services to create a medicaid managed care direct payment program for hospital multidisciplinary graduate medical education program for state-owned and state-operated teaching hospitals;

(iii) Reimburse participating hospitals for the medicaid managed care program's share of the unfunded costs incurred in providing graduate medical education training; and

(iv) Make payments directly to participating hospitals.

(d) Participating hospitals shall continue to be paid for inpatient and outpatient services provided to fee-for-service clients according to fee-for-service policies and rates, including payments under the certified public expenditure program.

(e) Payments shall be additional and separate from any graduate medical education funding included in managed care capitation payments.

(f) The authority shall calculate the medicaid managed care graduate medical education direct payments using cost and utilization data from the participating hospital's most recently filed medicare cost report to identify the participating hospital's total graduate medical education cost.

(g) Total allowable graduate medical education costs shall be calculated using medicare methodologies and must:

(i) Exclude medicare full-time equivalent and per resident amount limits;

(ii) Include indirect medical education costs related to both outpatient and inpatient services; and

(iii) Include other reimbursable training costs incurred by participating hospitals.

(h) The authority shall:

(i) Use ProviderOne as the primary source for fee-for-service and managed care claims and encounter data;

(ii) Calculate the medicaid managed care program's share of the total allowable graduate medical education cost as the participating hospital's total allowable graduate medical education cost, as derived from the medicare cost report, times the total managed care charges divided by total medicaid fee-for-service charges plus managed care charges, as derived from ProviderOne data;

(iii) Reduce the medicaid managed care graduate medical education direct payments by the fee-for-service equivalent graduate medical education payment included in managed care organization payments by applying the fee-for-service APR-DRG and EAPG conversion factors and rate adjustments applicable to the same year as the medicare cost report used to calculate allowable graduate medical education costs; and

(iv) Calculate the medicaid managed care graduate medical education direct payments as graduate medical education allowable cost less fee-for-service equivalent graduate medical education payment for managed care services.

(i) Medicaid managed care graduate medical education direct payments must be calculated prior to the beginning of the payment year.

(j) Medicaid managed care graduate medical education direct payments must be made quarterly.

(k) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the participating hospitals up to an

amount not to exceed \$150,000 per year.

(l) Participating hospitals shall retain the full amount of payments provided under this program.

(m) Payments received by hospitals and nonhospital participants in this program shall be in addition to all other payments received and shall not be used to supplant payments received through other programs.

(n) Participating hospitals shall provide the local funds to fund the required nonfederal contribution through intergovernmental transfer.

(o) The authority shall amend its current interagency agreement for funding and administration of similar programs to include the medicaid managed care graduate medical education direct payment program.

(p) This program shall be effective as soon as administratively possible.

(89)(a) \$69,957,000 of the general fund—state appropriation for fiscal year 2024, \$111,234,000 of the general fund—state appropriation for fiscal year 2025, and \$290,634,000 of the general fund—federal appropriation are provided solely for apple health managed care medical assistance. The authority must not change its risk sharing requirements without first providing notice to the governor and fiscal committees of the legislature detailing anticipated and potential fiscal impacts, unless required by the centers for medicare and medicaid services.

(b) The authority must conduct annual retrospective rate acuity analyses to ensure that managed care rates have been set using practicable acuity assumptions. Adjustments must be made as appropriate.

(c) For managed care plan year 2024 only, the authority must conduct a midyear acuity review to ensure that managed care rates for plan year 2024 were set using appropriate acuity assumptions and make any adjustments as appropriate reflective of the unique challenges of eligibility redeterminations and posteligibility review after the end of the public health emergency.

(d) The authority must provide information about any potential changes to rates or acuity assumptions to the medicaid expenditure forecast work group at the same time or before providing this information to managed care organizations.

(e) The authority may update managed care contracts as practicable.

(f) The authority must review national best practices for risk sharing to determine if its contracting methods should be updated. If the authority, in consultation with its contracted actuary, determines it is appropriate to update any risk sharing agreements with managed care organizations, it must share its findings with the governor and fiscal committees of the legislature detailing anticipated and potential fiscal impacts prior to implementing these changes.

(90)(a) \$100,000 of the general fund—state appropriation for fiscal year 2025 and \$100,000 of the general fund—federal appropriation are provided solely for the authority to contract with an external organization for participatory and equity-focused engagement with doulas and doula partners across the state of Washington. This organization must work in collaboration with community partners who advance equitable access to improve perinatal outcomes and care through holistic services for multiracial communities.

(b) The external organization will be responsible for:

(i) Creating a design and implementation plan for a statewide doula hub and referral system; and

(ii) Drafting a report, in partnership with the authority, summarizing the design and implementation plan, outlining ongoing funding required to support the doula workforce and clients accessing doula services through apple health, and providing any recommendations for both the doula hub and

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referral system.

(c) The report will include, but not be limited to, prioritized recommendations on how to:

(i) Provide statewide professional and workforce development support for birth doulas;

(ii) Increase statewide access to doula services for apple health birthing people;

(iii) Assist doulas with department of health credentialing requirements;

(iv) Assist doulas with the medicaid provider enrollment process, including, but not limited to, support with:

(A) Provider enrollment with the authority;

(B) Contracting with medicaid managed care organizations;

(C) Provider billing and claims submission processes;

(D) Provider payment requirements; and

(E) Eligibility support within ProviderOne; and

(v) Establish communications with birthing people, families, birth workers, and healthcare providers who are seeking to connect with state-certified and medicaid-enrolled birth doulas through a statewide directory or referral system.

(d) The report required in (c) of this subsection is due to the governor and appropriate committees of the legislature no later than June 30, 2025.

(91) \$2,548,000 of the general fund—state appropriation for fiscal year 2025 and \$2,964,000 of the general fund—federal appropriation are provided solely for implementation of Second Engrossed Second Substitute Senate Bill No. 5580 (maternal health outcomes). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(92)(a) \$7,000,000 of the family medicine workforce development account—state appropriation and \$12,834,000 of the general fund—federal appropriation are provided solely for the authority, in collaboration with the family medicine residency network and UW medicine, to establish a medicaid direct payment program to supplement family medicine provider graduate medical education funding in Washington state.

(b) The medicaid family medicine graduate medical education direct payment program shall:

(i) Support graduate medical education training;

(ii) Improve access to quality healthcare services;

(iii) Improve the state's ability to ensure that medicaid graduate medical education funding supports the state's workforce development goals; and

(iv) Focus on improving underserved populations' and regions' access to health care.

(c) The medicaid family medicine graduate medical education direct payment program participants shall include teaching sites that pay resident full-time equivalent costs that are eligible for federal financial participation.

(d) The authority must seek any necessary state plan amendments or waivers from the centers for medicare and medicaid services that are necessary to implement this program and receive federal financial participation at the earliest possible date, but no later than January 1, 2025.

(e) Any incremental costs incurred by the authority in the development, implementation, and maintenance of this program shall be the responsibility of the medicaid family medicine graduate medical education direct payment program up to an amount not to exceed \$100,000 per year.

(f) The family medicine family education advisory board created in RCW 70.112.080 will have administrative oversight, including the amount and methodologies used to distribute funds deposited within the family medicine workforce development account, subject to the conditions described in this subsection (92).

(g) Of the amounts provided in this section, \$150,000 of the family medicine workforce development account—state appropriation is provided for consultant assistance, including program design and a payment model to estimate the effect of family medicine family education advisory board allocation decisions on all family medicine residency network participants.

(h) Annual allocations from the family medicine workforce development account—state appropriation will be determined by the family medicine family education advisory board.

(i) Participants in the medicaid family medicine graduate medical education direct payment program shall retain the full amount of payments provided under this program.

(j) Payments received by participants in the medicaid family medicine graduate medical education direct payment program shall be in addition to all other payments received and shall not be used to supplant payments received through other programs.

(93)(a) \$481,000 of the general fund—state appropriation for fiscal year 2025 and \$489,000 of the general fund—federal appropriation are provided solely for the authority to conduct internal assessment of indirect costs and staff attrition trends to inform administrative needs. The assessment shall include, but not be limited to:

(i) Reconciliation of full time equivalent positions as provided by the legislature for fiscal year 2024, agency financial reporting system allotments, and vacancies as of June 30, 2024;

(ii) A comparison of current needs in relation to current vacancies;

(iii) An analysis of costs and benefits of reallocating positions, as appropriate, to meet immediate staffing needs, especially if positions have remained historically, or long-term vacant; and

(iv) A detailed description of assumptions related to indirect costs used in budget requests to the office of financial management.

(b) The authority shall report its findings to the governor and fiscal committees of the legislature no later than December 31, 2024.

(94)(a) \$1,615,000 of the general fund—state appropriation for fiscal year 2025 and \$3,911,000 of the general fund—federal appropriation are provided solely for the authority to increase inpatient per diem rates for inpatient prospective payment system hospitals providing services under the substance using pregnant people program beginning July 1, 2024. Hospitals participating in the certified public expenditures program or the sole community hospital program may not receive increased reimbursement under this subsection.

(b) Within the amounts appropriated in this section, the authority will review the rates for the substance using pregnant person program to determine if rebasing is appropriate and what rates would be required to sustain the program at current utilization levels.

(c) If the authority determines that rates require rebasing for this program, the authority will submit a request to the legislature through its normal budget process.

(95) \$314,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Substitute House Bill No. 2467 (LTSS trust access). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(96) The authority and department of social and health services must collaborate in the identification and evaluation of strategies to obtain federal matching funding opportunities, specifically focusing on innovative medicaid framework adjustments and the consideration of necessary state plan amendments for the treatment facility described in section 203(1)(nn) of this act.

(97) \$2,854,000 of the general fund—state appropriation for

fiscal year 2025 and \$4,208,000 of the general fund—federal appropriation are provided solely for the authority to increase the nonemergency medical transportation broker administrative rate to ensure access to health care services for medicaid patients.

(98)(a) \$266,000 of the general fund—state appropriation for fiscal year 2025 and \$348,000 of the general fund—federal appropriation are provided solely for rate increases, effective January 1, 2025, for private duty nursing, home health, and the medically intensive children's group home program services.

(b) The authority must adopt a payment model that incorporates the following adjustments:

(i) A 7.5 percent rate increase for home health and the medically intensive children's group home program services; and

(ii) Private duty nursing services shall be \$67.89 per hour by a registered nurse and \$55.70 per hour by a licensed practical nurse.

(99) \$50,000 of the general fund—state appropriation for fiscal year 2025 and \$450,000 of the general fund—federal appropriation are provided solely for the authority to contract for the development of an application programming interface or software to streamline eligibility and provider payments for the foundational community supports program. In developing the software design, the authority must consult with current and prospective foundational community supports providers. A report on the status of implementation and an end-user satisfaction survey shall be submitted to the office of financial management and appropriate committees of the legislature by December 1, 2024.

(100) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Bree collaborative to support collaborative learning and targeted technical assistance for quality improvement initiatives.

(101) \$500,000 of the general fund—state appropriation for fiscal year 2025 and \$500,000 of the general fund—federal appropriation are provided solely for the authority to contract with access to baby and child dentistry local programs for the purpose of maintaining and expanding capacity for local program coordinators.

(102) \$91,000 of the general fund—state appropriation for fiscal year 2025 and \$91,000 of the general fund—federal appropriation are provided solely to increase funding for the existing contract with the University of Washington to support primary care providers that are designated as an autism spectrum disorder (ASD) center of excellence.

(103) \$1,750,000 of the general fund—state appropriation for fiscal year 2025 and \$3,250,000 of the general fund—federal appropriation are provided solely for the authority to:

(a) Increase screening reimbursement rates for primary care providers, beginning January 1, 2025, for postnatal, child, and adolescent mental health screenings sufficient to provide follow up and coordination in primary care settings for children aged 0-21 years and their families, per the American academy of pediatrics' bright futures guidelines; and

(b) To implement a funding mechanism using code G0136 for a social determinants of health risk assessment benefit for children and their families.

(104) \$23,000 of the general fund—state appropriation for fiscal year 2025 and \$20,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 2041 (physician assistant practice). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(105) \$181,000 of the general fund—state appropriation for fiscal year 2025 and \$162,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1941 (health home serv./children). If

the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

Sec. 212. 2023 c 475 s 212 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—
PUBLIC EMPLOYEES' BENEFITS BOARD AND
EMPLOYEE BENEFITS PROGRAM**

State Health Care Authority Administrative Account—

State Appropriation ((\$44,102,000))

\$44,982,000

TOTAL APPROPRIATION ((\$44,102,000))

\$44,982,000

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

(1) Any savings from reduced claims costs must be reserved for funding employee benefits during future fiscal biennia and may not be used for administrative expenses. The health care authority shall deposit any moneys received on behalf of the uniform medical plan resulting from rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys received as a result of prior uniform medical plan claims payments, in the public employees' and retirees' insurance account to be used for insurance benefits.

(2) Any changes to benefits must be approved by the public employees' benefits board. The board shall not make any changes to benefits without considering a comprehensive analysis of the cost of those changes, and shall not increase benefits unless offsetting cost reductions from other benefit revisions are sufficient to fund the changes. The board shall not make any change in retiree eligibility criteria that reestablishes eligibility for enrollment in retiree benefits.

(3) Except as may be provided in a health care bargaining agreement pursuant to RCW 41.80.020, to provide benefits within the level of funding provided in part IX of this bill, the public employees' benefits board shall require: Employee premium copayments, increases increase in point-of-service cost sharing, the implementation of managed competition, or make other changes to benefits consistent with RCW 41.05.065.

(4) The board shall collect a surcharge payment of not less than \$25 dollars per month from members who use tobacco products, and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(5) \$78,000 of the health care authority administrative account—state appropriation is provided solely for administrative costs associated with extending retiree coverage under Substitute House Bill No. 1804 (PEBB/subdivision retirees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(6) \$500,000 of the state health care authority administrative account—state appropriation is provided solely for consultation with retirees, including conducting listening sessions and facilitating public forums to gather feedback about retiree needs. By December 1, 2023, the authority must report to the legislature with its findings, including an analysis of government self-insured plans with benefits that are equal to or richer, and with more affordable premiums, than uniform medical plan classic medicare. The legislature intends that the results of stakeholder engagements will be used to inform future health care plan selections.

(7) During the 2023-2025 fiscal biennium, the health care

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authority, in consultation with the office of financial management, shall review consolidating the administrative sections of the operating budget for the public employees' and school employees' benefits boards. Any change in budget structure must not result in changes to board or benefit policies. A budget structure change developed under this subsection may be included in the 2024 supplemental or the 2025-2027 biennial governor's budget submittal without being subject to the legislative evaluation and accountability program committee approval under RCW 43.88.030(7).

(8)(a) \$100,000 of the health care authority administrative account—state appropriation is provided solely for a study on consolidating the public employees' benefits board (PEBB) and school employees' benefits board (SEBB) programs. By December 1, 2024, the authority must report to the legislature the necessary statutory and program changes required to achieve consolidation of:

(i) The public employees' benefits board and school employees' benefits board into a single governing board;

(ii) The current risks pools described in RCW 41.05.022 (2) and (3);

(iii) The existing eligibility provisions of the PEBB and SEBB programs; and

(iv) Benefit offerings into more aligned plans.

(b) In considering statutory and program changes, the authority must consider:

(i) Ways to engage with impacted participants to understand their priorities related to consolidation;

(ii) Options that maintain benefit eligibility for current participants;

(iii) Options for ensuring equity among participants in a consolidated program; and

(iv) Data and findings from previous reports related to consolidating PEBB and SEBB plans.

(9) By December 1, 2024, the authority shall submit a report to the legislature describing options, and a recommendation, for possible future coverage in the uniform medical plan for food and drug administration approved glucagon-like peptide 1 agonists for the treatment of obesity and weight loss.

Sec. 213. 2023 c 475 s 213 (uncodified) is amended to read as follows:

FOR THE STATE HEALTH CARE AUTHORITY—SCHOOL EMPLOYEES' BENEFITS BOARD

School Employees' Insurance Administrative Account—
State Appropriation.....(~~(\$33,743,000)~~)
\$33,739,000

TOTAL APPROPRIATION.....(~~(\$33,743,000)~~)
\$33,739,000

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

(1) \$324,000 of the school employees' insurance administrative account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5275 (SEBB benefit access). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(2) By December 1, 2024, the authority shall submit a report to the legislature describing options, and a recommendation, for possible future coverage in the uniform medical plan for food and drug administration approved glucagon-like peptide 1 agonists for the treatment of obesity and weight loss.

Sec. 214. 2023 c 475 s 214 (uncodified) is amended to read as follows:

FOR THE STATE HEALTH CARE AUTHORITY—HEALTH BENEFIT EXCHANGE

General Fund—State Appropriation (FY 2024).(~~(\$8,242,000)~~)

\$9,671,000
General Fund—State Appropriation (FY 2025) (~~(\$6,472,000)~~)
\$7,156,000
General Fund—Federal Appropriation.....(~~(\$61,983,000)~~)
\$67,396,000
Education Legacy Trust Account—State Appropriation
..... \$350,000
Health Benefit Exchange Account—State Appropriation
..... (~~(\$76,214,000)~~)
\$83,528,000
State Health Care Affordability Account—State
Appropriation (~~(\$110,000,000)~~)
\$125,000,000
TOTAL APPROPRIATION (~~(\$263,261,000)~~)
\$293,101,000

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

(1) The receipt and use of medicaid funds provided to the health benefit exchange from the health care authority are subject to compliance with state and federal regulations and policies governing the Washington apple health programs, including timely and proper application, eligibility, and enrollment procedures.

(2)(a) By July 15th, October 15th, and January 15th of each year, the authority shall make a payment of (~~one-half~~) 30 percent of the general fund—state appropriation, (~~one-half~~) 30 percent of the health benefit exchange account—state appropriation, and (~~one-half~~) 30 percent of the health care affordability account—state appropriation to the exchange. By April 15th of each year, the authority shall make a payment of 10 percent of the general fund—state appropriation, 10 percent of the health benefit exchange account—state appropriation, and 10 percent of the health care affordability account—state appropriation to the exchange.

(b) The exchange shall monitor actual to projected revenues and make necessary adjustments in expenditures or carrier assessments to ensure expenditures do not exceed actual revenues.

(c) Payments made from general fund—state appropriation and health benefit exchange account—state appropriation shall be available for expenditure for no longer than the period of the appropriation from which it was made. When the actual cost of materials and services have been fully determined, and in no event later than the lapsing of the appropriation, any unexpended balance of the payment shall be returned to the authority for credit to the fund or account from which it was made, and under no condition shall expenditures exceed actual revenue.

(3) \$1,939,000 of the health benefit exchange account—state appropriation and \$6,189,000 of the general fund—federal appropriation are provided solely for the modernizing healthplanfinder project. These amounts are subject to the conditions, limitations, and review provided in section 701 of this act.

(4)(a) (~~(\$100,000,000)~~) \$115,000,000 of the state health care affordability account—state appropriation is provided solely for the exchange to administer a premium assistance program, beginning for plan year 2023, as established in RCW 43.71.110. An individual is eligible for the premium assistance provided if the individual: (i) Has income up to 250 percent of the federal poverty level; and (ii) meets other eligibility criteria as established in RCW 43.71.110(4)(a).

(b) \$260,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a study, in consultation with the health care authority and office of the insurance commissioner, of how the exchange's current section 1332 waiver could be

amended to generate federal pass-through funding to support the affordability programs established in RCW 43.71.110. The actuarial study must focus on methods that could be most readily leveraged in Washington, considering those being used in other public option programs. Study findings must be reported to the appropriate committees of the legislature by December 1, 2023.

(5) \$10,000,000 of the state health care affordability account—state appropriation is provided solely to provide premium assistance for customers ineligible for federal premium tax credits who meet the eligibility criteria established in subsection (4)(a) of this section, and is contingent upon continued approval of the applicable waiver described in RCW 43.71.120.

(6) \$102,000 of the general fund—state appropriation for fiscal year 2024, \$865,000 of the general fund—federal appropriation, and \$123,000 of the health benefit exchange account—state appropriation are provided solely for a technology solution for an authoritative client identifier, or master person index, in Healthplanfinder to support the health and human services coalition in uniformly identifying clients across multiple state service delivery systems. These amounts are subject to the conditions, limitations, and review requirements of section 701 of this act.

(7) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the exchange, in collaboration with the department of social and health services and the home training network as described in RCW 70.128.305, to provide educational resources and trainings to help connect owners and employees of adult family homes to health care coverage.

(8) \$299,000 of the general fund—state appropriation for fiscal year 2024, \$299,000 of the general fund—state appropriation for fiscal year 2025, and \$202,000 of the general fund—federal appropriation are provided solely for pass-through funding in the annual amount of \$100,000 for each lead navigator organization in the four regions with the highest concentration of citizens of the compact of free association (COFA) to:

(a) Support a staff position within the COFA community to provide enrollment assistance to the COFA community beyond the scope of the current COFA program; and

(b) Support COFA community-led outreach and enrollment activities.

(9)(a) \$300,000 of the health benefit exchange account—state appropriation is provided solely for staff and consultants to complete a study of options and recommendations for the state to ensure continuous health care coverage through qualified health plans for medicaid beneficiaries losing medicaid coverage through Washington Healthplanfinder. In coordination with the health care authority and department of social and health services, the study must include, but not be limited to:

(i) An analysis of transitional solutions used in other states to continue coverage for individuals losing medicaid eligibility;

(ii) In coordination with the department of social and health services' research and data analysis division, an analysis of monthly enrollment rates for persons who are determined no longer eligible for medicaid, including demographic and employment information, and those who enroll in qualified health plans, including demographic and employment information; and

(iii) A feasibility analysis of auto-enrolling clients that lose medicaid eligibility and are eligible for a no-premium qualified health plan through Washington Healthplanfinder.

(b) The study must be submitted to the office of financial management and appropriate committees of the legislature by December 31, 2024.

Sec. 215. 2023 c 475 s 215 (uncodified) is amended to read as follows:

**FOR THE STATE HEALTH CARE AUTHORITY—
COMMUNITY BEHAVIORAL HEALTH PROGRAM**

General Fund—State Appropriation (FY 2024)	(\$1,015,063,000)
	<u>\$1,025,616,000</u>
General Fund—State Appropriation (FY 2025)	(\$1,097,193,000)
	<u>\$1,226,089,000</u>
General Fund—Federal Appropriation.....	(\$2,853,321,000)
	<u>\$3,078,664,000</u>
General Fund—Private/Local Appropriation ..	(\$38,826,000)
	<u>\$38,904,000</u>
Criminal Justice Treatment Account—State Appropriation	\$22,001,000
Problem Gambling Account—State Appropriation	(\$2,243,000)
	<u>\$3,738,000</u>
Dedicated Cannabis Account—State Appropriation (FY 2024).....	\$28,498,000
Dedicated Cannabis Account—State Appropriation (FY 2025).....	\$28,501,000
Opioid Abatement Settlement Account—State Appropriation	(\$54,415,000)
	<u>\$78,744,000</u>
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation.....	(\$33,135,000)
	<u>\$33,499,000</u>
TOTAL APPROPRIATION	(\$5,173,196,000)
	<u>\$5,564,254,000</u>

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

(1) For the purposes of this section, "behavioral health entities" means managed care organizations and behavioral health administrative services organizations that reimburse providers for behavioral health services.

(2) Within the amounts appropriated in this section, funding is provided for implementation of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. In addition to amounts provided solely for implementation of the settlement agreement, class members must have access to supports and services funded throughout this section for which they meet eligibility and medical necessity requirements. The authority must include language in contracts that requires regional behavioral health entities to develop and implement plans for improving access to timely and appropriate treatment for individuals with behavioral health needs and current or prior criminal justice involvement who are eligible for services under these contracts.

(3)(a) ~~(\$44,320,000)~~ \$43,429,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$49,525,000)~~ \$48,634,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$17,368,000)~~ \$15,538,000 of the general fund—federal appropriation are provided solely to continue the phase-in of the settlement agreement under *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The authority, in collaboration with the department of social and health services and the criminal justice training commission, must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to competency evaluations, competency restoration, crisis diversion and supports, education and training, and workforce development. Within these amounts, sufficient

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funding is provided to implement Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations).

(b) Of the amounts provided in this subsection, \$5,108,000 of the general fund—state appropriation for fiscal year 2024 and \$6,341,000 of the general fund—state appropriation for fiscal year 2025 are provided for implementation of Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). Of these amounts, \$186,000 of the general fund—state appropriation for fiscal year 2024 and \$186,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase compensation for staff in outpatient competency restoration programs pursuant to Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations).

(c) By December 1, 2024, the authority must provide notification to the office of financial management and the appropriate committees of the legislature of the estimated opening date and operating costs for the Trueblood phase three crisis stabilization center.

(4) \$8,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$8,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue diversion grant programs funded through contempt fines pursuant to *Trueblood, et al. v. Department of Social and Health Services, et al.*, United States District Court for the Western District of Washington, Cause No. 14-cv-01178-MJP. The authority must consult with the plaintiffs and court monitor to determine, within the amounts provided, which of the programs will continue to receive funding through this appropriation. The programs shall use this funding to provide assessments, mental health treatment, substance use disorder treatment, case management, employment, and other social services. By December 1, 2023, the authority, in consultation with the plaintiffs and the court monitor, must submit a report to the office of financial management and the appropriate fiscal committees of the legislature which includes: Identification of the programs that receive funding through this subsection; a narrative description of each program model; the number of individuals being served by each program on a monthly basis; metrics or outcomes reported as part of the contracts; and recommendations related to further support of these programs in the 2023-2025 fiscal biennium.

(5) \$12,359,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$12,359,000))~~ \$24,187,000 of the general fund—state appropriation for fiscal year 2025, and ~~(((\$23,444,000))~~ \$28,598,000 of the general fund—federal appropriation are provided solely for the authority and behavioral health entities to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to behavioral health entities with PACT teams, the authority shall consider the differences between behavioral health entities in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The authority may allow behavioral health entities which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under subsection (7) of this section. The authority and behavioral health entities shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section. Of the amounts provided in this subsection:

(a) \$4,628,000 of the general fund—state appropriation for fiscal year 2025 and \$920,000 of the general fund—federal appropriation are provided solely for two new programs for assertive community treatment teams.

(b) \$6,032,000 of the general fund—state appropriation for

fiscal year 2025 and \$2,907,000 of the general fund—federal appropriation are provided solely for current assertive community treatment teams contingent upon a plan submitted to and approved by the authority to increase and maintain average monthly caseloads to no less than 80 percent of the maximum capacity for full and half teams as established in the WA-PACT program standards.

(c) \$669,000 of the general fund—state appropriation for fiscal year 2025 and \$994,000 of the general fund—federal appropriation are provided solely for a rate increase for existing programs for assertive community treatment teams. The rate increase must be implemented to provide the same percentage increase to all providers and the authority must employ mechanisms such as directed payment or other options allowable under federal medicaid law to assure funding provided through managed care organizations must be used to increase rates for their contracted assertive community treatment team providers.

(d) \$399,000 of the general fund—state appropriation for fiscal year 2025 and \$333,000 of the general fund—federal appropriation are provided solely for administrative costs related to assertive community treatment teams including contracted training, technical assistance, and assessment services.

(e) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract for an assessment on the access of young adults to assertive community treatment team services. The study must include identification of: (i) The number and percentage of young adults receiving services through assertive community treatment teams; (ii) barriers and strategies for increasing access to assertive community treatment team services for young adults; and (iii) identification of evidence-based alternative models for providing high intensity wraparound services that may be more appropriate for some young adult populations. The authority must submit a report to the office of financial management and the appropriate committees of the legislature summarizing the findings and recommendations of the study by December 1, 2024.

(6) ~~(((\$3,520,000))~~ \$1,668,000 of the general fund—state appropriation for fiscal year 2025 and \$3,280,000 of the general fund—federal appropriation ~~((is))~~ are provided solely for the authority to maintain a pilot project to incorporate peer bridging staff into behavioral health regional teams that provide transitional services to individuals returning to their communities.

(7) \$144,519,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$163,088,000))~~ \$139,238,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for persons and services not covered by the medicaid program. To the extent possible, levels of behavioral health entity spending must be maintained in the following priority order: Crisis and commitment services; community inpatient services; and residential care services, including personal care and emergency housing assistance. These amounts must be distributed to behavioral health entities as follows:

(a) \$108,803,000 of the general fund—state appropriation for fiscal year 2024 and \$124,713,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with behavioral health administrative service organizations for behavioral health treatment services not covered under the medicaid program. Within these amounts, behavioral health administrative service organizations must provide a 15 percent rate increase to providers receiving state funds for nonmedicaid services under this section effective January 1, 2024.

(b) \$35,716,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$38,375,000))~~ \$14,525,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for the authority to contract with medicaid managed care organizations for wraparound services to medicaid enrolled individuals that are not covered under the medicaid program. Within the amounts provided in this subsection:

(i) Medicaid managed care organizations must provide a 15 percent rate increase to providers receiving state funding for nonmedicaid services under this section effective January 1, 2024.

~~(ii) ((The authority shall assure that managed care organizations reimburse the department of social and health services, aging and long term support administration for the general fund state cost of exceptional behavioral health personal care services for medicaid enrolled individuals who require these because of a psychiatric disability. Funding for the federal share of these services is separately appropriated to the department of social and health services.~~

(iii)) Pursuant to RCW 41.56.029, during fiscal year 2024, the authority may work with the office of financial management to negotiate a tiered rate structure for behavioral health personal care services for adult family home providers serving medicaid enrollees. An agreement reached with the adult family home council must be submitted to the director of financial management by October 1, 2023, and certified as financially feasible in order to be considered for funding during the 2024 legislative session. Upon completion of bargaining, the authority shall coordinate with the department of social and health services to develop and submit to the centers for medicare and medicaid services an application to provide a 1915(i) state plan home and community-based services benefit. The application shall be developed to allow for the delivery of wraparound supportive behavioral health services for individuals with mental illnesses who also have a personal care need. The 1915(i) state plan shall be developed to standardize coverage and administration, improve the current benefit design, and clarify roles in administration of the behavioral health personal care services benefit.

(8) The authority is authorized to continue to contract directly, rather than through contracts with behavioral health entities for children's long-term inpatient facility services.

(9) \$1,204,000 of the general fund—state appropriation for fiscal year 2024 and \$1,204,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

(10) Behavioral health entities may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, behavioral health entities may use a portion of the state funds allocated in accordance with subsection (7) of this section to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

(11) \$2,291,000 of the general fund—state appropriation for fiscal year 2024 and \$2,291,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement. The authority must collect information from the behavioral health entities on their plan for using these funds, the numbers of individuals served, and the types of services provided.

(12) Within the amounts appropriated in this section, funding

is provided for the authority to develop and phase in intensive mental health services for high needs youth consistent with the settlement agreement in *T.R. v. Dreyfus and Porter*.

(13)(a) The authority must establish minimum and maximum funding levels for all reserves allowed under behavioral health administrative service organization contracts and include contract language that clearly states the requirements and limitations. The reserve levels must be informed by the types of risk carried by behavioral health administrative service organizations for mandatory services and also consider reasonable levels of operating reserves. The authority must monitor and ensure that behavioral health administrative service organization reserves do not exceed maximum levels. The authority must monitor revenue and expenditure reports and must require a behavioral health administrative service organization to submit a corrective action plan on how it will spend its excess reserves within a reasonable period of time, when its reported reserves exceed maximum levels established under the contract. The authority must review and approve such plans and monitor to ensure compliance. If the authority determines that a behavioral health administrative service organization has failed to provide an adequate excess reserve corrective action plan or is not complying with an approved plan, the authority must reduce payments to the entity in accordance with remedial actions provisions included in the contract. These reductions in payments must continue until the authority determines that the entity has come into substantial compliance with an approved excess reserve corrective action plan. The authority must submit to the office of financial management and the appropriate committees of the legislature, each December of the biennium, the minimum and maximum reserve levels established in contract for each of the behavioral health administrative service organizations for the prior fiscal year and the actual reserve levels reported at the end of the fiscal year.

(b) In contracts effective during fiscal year 2025, the authority must allow the north sound behavioral health administrative services organization to pilot reserve funding flexibility by allowing the north sound behavioral health administrative services organization to utilize, for other purposes, 30 percent of funding received prior to that contract period currently in reserves and that was received pursuant to a specific legislative proviso. Funding repurposed under this subsection must be used to support the duties of the administrative services organization under RCW 71.24.045 through programs serving individuals with severe and persistent behavioral health conditions and behavioral health services that promote stability and recovery within their regional service area. Expenditures pursuant to this pilot program may include, but are not limited to, crisis wraparound services, jail transition and diversion services, court costs, and coresponder programs. The authority, in partnership with the north sound behavioral health administrative services organization, must provide a report to the appropriate committees of the legislature by December 31, 2024, describing the impacts of this pilot program to the regional crisis continuum of care. The report must also include information on which specific legislative provisos north sound behavioral health administrative services organization repurposed funding from under this subsection and for what purpose those funds were used.

(14) During the 2023-2025 fiscal biennium, any amounts provided in this section that are used for case management services for pregnant and parenting women must be contracted directly between the authority and pregnant and parenting women case management providers.

(15) \$3,500,000 of the general fund—federal appropriation is provided solely for the continued funding of existing county drug and alcohol use prevention programs.

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(16) Within the amounts appropriated in this section, the authority may contract with the University of Washington and community-based providers for the provision of the parent-child assistance program or other specialized chemical dependency case management providers for pregnant, postpartum, and parenting women. For all contractors: (a) Service and other outcome data must be provided to the authority by request; and (b) indirect charges for administering the program must not exceed 10 percent of the total contract amount.

(17) Within the amounts provided in this section, behavioral health entities must provide outpatient chemical dependency treatment for offenders enrolled in the medicaid program who are supervised by the department of corrections pursuant to a term of community supervision. Contracts with behavioral health entities must require that behavioral health entities include in their provider network specialized expertise in the provision of manualized, evidence-based chemical dependency treatment services for offenders. The department of corrections and the authority must develop a memorandum of understanding for department of corrections offenders on active supervision who are medicaid eligible and meet medical necessity for outpatient substance use disorder treatment. The agreement will ensure that treatment services provided are coordinated, do not result in duplication of services, and maintain access and quality of care for the individuals being served. The authority must provide all necessary data, access, and reports to the department of corrections for all department of corrections offenders that receive medicaid paid services.

(18) The criminal justice treatment account—state appropriation is provided solely for treatment and treatment support services for offenders with a substance use disorder pursuant to RCW 71.24.580. The authority must offer counties the option to administer their share of the distributions provided for under RCW 71.24.580(5)(a). If a county is not interested in administering the funds, the authority shall contract with behavioral health entities to administer these funds consistent with the plans approved by local panels pursuant to RCW 71.24.580(5)(b). Funding from the criminal justice treatment account may be used to provide treatment and support services through the conclusion of an individual's treatment plan to individuals participating in a drug court program as of February 24, 2021, if that individual wishes to continue treatment following dismissal of charges they were facing under RCW 69.50.4013(1). Such participation is voluntary and contingent upon substantial compliance with drug court program requirements. The authority must provide a report to the office of financial management and the appropriate committees of the legislature that identifies the distribution of criminal justice treatment account funds by September 30, 2023.

(19)(a) \$11,426,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$15,501,000)~~ \$15,651,000 of the general fund—state appropriation for fiscal year 2025, and \$21,554,000 of the general fund—federal appropriation are provided solely for crisis triage facilities, crisis relief centers, or crisis stabilization units. Services in these facilities may include crisis stabilization and intervention, individual counseling, peer support, medication management, education, and referral assistance. The authority shall monitor each center's effectiveness at lowering the rate of state psychiatric hospital admissions.

(b) Within these amounts, the health care authority shall convene representatives from medicaid managed care organizations, behavioral health administrative organizations, private insurance carriers, self-insured organizations, crisis providers, and the office of the insurance commissioner to assess gaps in the current funding model for crisis and co-response

services and recommend options for addressing these gaps including, but not limited to, an alternative funding model for crisis and co-response services. The assessment must consider available data to determine to what extent the costs of crisis and co-response services for clients of private insurance carriers, medicaid managed care organizations, and individuals enrolled in medicaid fee-for-service are being subsidized through state funded behavioral health administrative services organization contracts. The analysis shall examine crisis and co-response services provided by mobile crisis teams and co-response teams as well as facility-based services such as crisis triage and crisis stabilization units. In the development of an alternative funding model, the authority and office of the insurance commissioner must explore mechanisms that: (i) Determine the annual cost of operating crisis and co-response services and collect a proportional share of the program cost from each health insurance carrier; (~~and~~) (ii) differentiate between crisis and co-response services eligible for medicaid funding from other nonmedicaid eligible activities; and (iii) simplify administrative complexity of billing for service providers such as the use of a third party administrator. The authority must submit a preliminary report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, and a final report by December 1, 2024. Up to \$300,000 of the general fund—state appropriation for fiscal year 2024, and (~~(\$300,000)~~ \$450,000 of the general fund—state appropriation for fiscal year 2025 may be used for the assessment and reporting activities required under this subsection.

(c) Sufficient funding is provided in this subsection to implement Second Substitute Senate Bill No. 5120 (crisis relief centers).

(20) \$9,795,000 of the general fund—state appropriation for fiscal year 2024, \$10,015,000 of the general fund—state appropriation for fiscal year 2025, and \$15,025,000 of the general fund—federal appropriation are provided solely for the operation of secure withdrawal management and stabilization facilities. The authority may not use any of these amounts for services in facilities that are subject to federal funding restrictions that apply to institutions for mental diseases, unless they have received a waiver that allows for full federal participation in these facilities. Within these amounts, funding is provided to increase the fee for service rate for these facilities up to \$650 per day. The authority must require in contracts with behavioral health entities that they pay no lower than the fee for service rate. The authority must coordinate with regional behavioral health entities to identify and implement purchasing strategies or regulatory changes that increase access to services for individuals with complex behavioral health needs at secure withdrawal management and stabilization facilities.

(21) \$1,401,000 of the general fund—state appropriation for fiscal year 2024, \$1,401,000 of the general fund—state appropriation for fiscal year 2025, and \$3,210,000 of the general fund—federal appropriation are provided solely for the implementation of intensive behavioral health treatment facilities within the community behavioral health service system pursuant to chapter 324, Laws of 2019 (2SHB 1394).

(22)(a) \$12,878,000 of the dedicated cannabis account—state appropriation for fiscal year 2024 and \$12,878,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for:

(i) A memorandum of understanding with the department of children, youth, and families to provide substance abuse treatment programs;

(ii) A contract with the Washington state institute for public policy to conduct a cost-benefit evaluation of the implementations

of chapter 3, Laws of 2013 (Initiative Measure No. 502);

(iii) Designing and administering the Washington state healthy youth survey and the Washington state young adult behavioral health survey;

(iv) Maintaining increased services to pregnant and parenting women provided through the parent child assistance program;

(v) ~~((Grants to the office of the superintendent of public instruction for life skills training to children and youth;~~

~~(vi))~~ Maintaining increased prevention and treatment services provided by tribes and federally recognized American Indian organization to children and youth;

~~((vii))~~ (vi) Maintaining increased residential treatment services for children and youth;

~~((viii))~~ (vii) Training and technical assistance for the implementation of evidence-based, research based, and promising programs which prevent or reduce substance use disorder;

~~((ix))~~ (viii) Expenditures into the home visiting services account; and

~~((x))~~ (ix) Grants to community-based programs that provide prevention services or activities to youth.

(b) The authority must allocate the amounts provided in (a) of this subsection amongst the specific activities proportionate to the fiscal year 2021 allocation.

(23)(a) \$1,125,000 of the general fund—state appropriation for fiscal year 2024 and \$1,125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Spokane behavioral health entities to implement services to reduce utilization and the census at eastern state hospital. Such services must include:

(i) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(ii) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(iii) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(iv) Services at the 16-bed evaluation and treatment facility.

(b) At least annually, the Spokane county behavioral health entities shall assess the effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

(24) \$1,850,000 of the general fund—state appropriation for fiscal year 2024, \$1,850,000 of the general fund—state appropriation for fiscal year 2025, and \$13,312,000 of the general fund—federal appropriation are provided solely for substance use disorder peer support services included in behavioral health capitation rates in accordance with section 213(5)(ss), chapter 299, Laws of 2018. The authority shall require managed care organizations to provide access to peer support services for individuals with substance use disorders transitioning from emergency departments, inpatient facilities, or receiving treatment as part of hub and spoke networks.

(25) \$1,423,000 of the general fund—state appropriation for fiscal year 2024, \$1,423,000 of the general fund—state appropriation for fiscal year 2025, and \$5,908,000 of the general fund—federal appropriation are provided solely for the authority to continue to implement discharge wraparound services for individuals with complex behavioral health conditions transitioning or being diverted from admission to psychiatric inpatient programs. The authority must coordinate with the department of social and health services in establishing the standards for these programs.

(26) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely for the authority to maintain a memorandum of understanding with the criminal justice training commission to provide funding for community grants pursuant to RCW 36.28A.450.

(27) \$350,000 of the general fund—federal appropriation and \$300,000 of the opioid abatement settlement account—state appropriation are provided solely to contract with a nationally recognized recovery residence organization and to provide technical assistance to operators of recovery residences seeking certification in accordance with chapter 264, Laws of 2019 (2SHB 1528).

(28) \$3,396,000 of the general fund—state appropriation for fiscal year 2024, \$3,396,000 of the general fund—state appropriation for fiscal year 2025, and \$16,200,000 of the general fund—federal appropriation are provided solely for support of and to continue to increase clubhouse programs across the state. The authority shall work with the centers for medicare and medicaid services to review opportunities to include clubhouse services as an optional "in lieu of" service in managed care organization contracts in order to maximize federal participation.

(29) \$708,000 of the general fund—state appropriation for fiscal year 2024, \$708,000 of the general fund—state appropriation for fiscal year 2025, and \$1,598,000 of the general fund—federal appropriation are provided solely for implementing mental health peer respite centers and a pilot project to implement a mental health drop-in center in accordance with chapter 324, Laws of 2019 (2SHB 1394).

(30) \$800,000 of the general fund—state appropriation for fiscal year 2024, \$800,000 of the general fund—state appropriation for fiscal year 2025, and \$1,452,000 of the general fund—federal appropriation are provided solely for the authority to implement strategies related to suicide prevention and treatment.

(31) \$446,000 of the general fund—state appropriation for fiscal year 2024, \$446,000 of the general fund—state appropriation for fiscal year 2025, and \$178,000 of the general fund—federal appropriation are provided solely for the University of Washington's evidence-based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices. The institute must work with the authority to develop a plan to seek private, federal, or other grant funding in order to reduce the need for state general funds. The authority must collect information from the institute on the use of these funds and submit a report to the office of financial management and the appropriate fiscal committees of the legislature by December 1st of each year of the biennium.

(32) As an element of contractual network adequacy requirements and reporting, the authority shall direct managed care organizations to make all reasonable efforts to develop or maintain contracts with provider networks that leverage local, federal, or philanthropic funding to enhance effectiveness of medicaid-funded integrated care services. These networks must promote medicaid clients' access to a system of services that addresses additional social support services and social determinants of health as defined in RCW 43.20.025 in a manner that is integrated with the delivery of behavioral health and medical treatment services.

(33) \$9,000,000 of the criminal justice treatment account—state appropriation is provided solely for the authority to maintain funding for new therapeutic courts created or expanded during fiscal year 2021, or to maintain the fiscal year 2021 expansion of services being provided to an already existing therapeutic court that engages in evidence-based practices, to include medication

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assisted treatment in jail settings pursuant to RCW 71.24.580. Funding provided under this subsection shall not supplant existing funds utilized for this purpose.

(34) In establishing, re-basing, enhancing, or otherwise updating medicaid rates for behavioral health services, the authority and contracted actuaries shall use a transparent process that provides an opportunity for medicaid managed care organizations, behavioral health administrative service organizations, and behavioral health provider agencies, and their representatives, to review and provide data and feedback on proposed rate changes within their region or regions of service operation. The authority and contracted actuaries shall transparently incorporate the information gained from this process and make adjustments allowable under federal law when appropriate.

(35) The authority shall seek input from representatives of the managed care organizations (MCOs), licensed community behavioral health agencies, and behavioral health administrative service organizations to develop specific metrics related to behavioral health outcomes under integrated managed care. These metrics must include, but are not limited to: (a) Revenues and expenditures for community behavioral health programs, including medicaid and nonmedicaid funding; (b) access to services, service denials, and utilization by state plan modality; (c) claims denials and record of timely payment to providers; (d) client demographics; and (e) social and recovery measures and managed care organization performance measures. The authority must work with managed care organizations and behavioral health administrative service organizations to integrate these metrics into an annual reporting structure designed to evaluate the performance of the behavioral health system in the state over time. The authority must submit a report to the office of financial management and the appropriate committees of the legislature, before December 30th of each year during the fiscal biennium, that details the implemented metrics and relevant performance outcomes for the prior calendar year.

(36) \$4,061,000 of the general fund—state appropriation for fiscal year 2024, \$3,773,000 of the general fund—state appropriation for fiscal year 2025, and \$6,419,000 of the general fund—federal appropriation are provided solely for the authority to maintain pilot programs for intensive outpatient services and partial hospitalization services for certain children and adolescents and, pursuant to chapter 94, Laws of 2022 (2SSB 5736), add coverage for these services into the state medicaid program beginning January 1, 2024.

(a) The authority must establish minimum standards, eligibility criteria, authorization and utilization review processes, and payment methodologies for the programs in contract.

(b) Eligibility for the pilot sites is limited pursuant to the following:

(i) Children and adolescents discharged from an inpatient hospital treatment program who require the level of services offered by the pilot programs in lieu of continued inpatient treatment;

(ii) Children and adolescents who require the level of services offered by the pilot programs in order to avoid inpatient hospitalization; and

(iii) Services may not be offered if there are less costly alternative community-based services that can effectively meet the needs of an individual referred to the program.

(c) Eligibility for services through the state medicaid program shall be consistent with criteria approved by the centers for medicare and medicaid services pursuant to implementation of chapter 94, Laws of 2022 (2SSB 5736).

(d) The authority must collect data on the program sites and

work with the actuaries responsible for establishing managed care rates for medicaid enrollees to develop and submit an annual report to the office of financial management and the appropriate committees of the legislature each December of the fiscal biennium that includes the following information:

(i) A narrative description of the services provided at each program site and identification of any specific gaps the sites were able to fill in the current continuum of care;

(ii) Clinical outcomes and estimated reductions in psychiatric inpatient costs associated with each of the program sites;

(iii) Recommendations for whether the pilot models should be expanded statewide, whether modifications should be made to the models to better address gaps in the continuum identified through the pilot sites, whether the models could be expanded to community behavioral health providers, and whether statewide implementation should be achieved through a state plan amendment or some other mechanism for leveraging federal medicaid match;

(iv) Actuarial projections on the statewide need for services related to the pilot sites and estimated costs of adding each of the services to the medicaid behavioral health benefit for children and adolescents and adults; and

(v) Annual costs and any quantifiable cost offsets associated with the program sites.

(37) \$25,587,000 of the general fund—federal appropriation (ARPA) and \$9,828,000 of the general fund—federal appropriation are provided solely to promote the recovery of individuals with substance use disorders through expansion of substance use disorder services. The authority shall implement this funding to promote integrated, whole-person care to individuals with opioid use disorders, stimulant use disorders, and other substance use disorders. The authority shall use this funding to support evidence-based and promising practices as follows:

(a) \$8,500,000 of the amounts provided in this subsection is provided solely for treatment services to low-income individuals with substance use disorders who are not eligible for services under the medicaid program and for treatment services that are not covered under the medicaid program. A minimum of \$7,500,000 of this amount must be contracted through behavioral health administrative services organizations. The amounts in this subsection may be used for services including, but not limited to, outpatient treatment, residential treatment, mobile opioid use disorder treatment programs, law enforcement assisted diversion programs, contingency management interventions, modified assertive community treatment, trauma informed care, crisis respite, and for reimbursement of one-time start-up operating costs for opening new beds in withdrawal management treatment programs.

(b) \$2,015,000 of the amounts provided in this subsection is provided solely for outreach programs that link individuals with substance use disorders to treatment options to include medication for opioid use disorder. The authority must contract for these services with programs that use interdisciplinary teams, which include peer specialists, to engage and facilitate linkage to treatment for individuals in community settings such as homeless encampments, shelters, emergency rooms, harm reduction programs, churches, community service offices, food banks, libraries, legal offices, and other settings where individuals with substance use disorders may be engaged. The services must be coordinated with emergency housing assistance and other services administered by the authority to promote access to a full continuum of treatment and recovery support options.

(c) \$7,500,000 of the amounts provided in this subsection is provided solely for substance use disorder recovery support services not covered by the medicaid program including, but not

limited to, emergency housing, recovery housing vouchers, supported employment, skills training, peer support, peer drop-in centers, and other community supports.

(d) \$3,550,000 of the amounts provided in this subsection is provided solely for efforts to support the recovery of American Indians and Alaska natives with substance use disorders. This funding may be used for grants to urban Indian organizations, tribal opioid prevention media campaigns, and support for government to government communication, planning, and implementation of opioid use disorder related projects.

(e) \$5,000,000 of the amounts provided in this subsection is provided solely for the authority, in coordination with the department of health, to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone for agency staff in organizations such as syringe service programs, housing providers, and street outreach programs, and for law enforcement and emergency responders.

(f) \$7,100,000 of the amounts provided in this subsection is provided solely for community services grants that support the implementation and evaluation of substance use disorder prevention services.

(g) Up to \$1,750,000 of the amounts provided in this subsection may be used for the authority's administrative costs associated with services funded in this subsection.

(38) \$3,109,000 of the general fund—state appropriation for fiscal year 2024 and \$3,109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for short-term rental subsidies for individuals with mental health or substance use disorders. This funding may be used for individuals enrolled in the foundational community support program while waiting for a longer term resource for rental support or for individuals transitioning from behavioral health treatment facilities or local jails. Individuals who would otherwise be eligible for the foundational community support program but are not eligible because of their citizenship status may also be served. Each December of the fiscal biennium, the authority must submit a report identifying the expenditures and number of individuals receiving short-term rental supports through the agency budget during the prior fiscal year broken out by region, treatment need, and the demographics of those served, including but not limited to age, country of origin within racial/ethnic categories, gender, and immigration status.

(39) \$25,332,000 of the general fund—federal appropriation (ARPA) is provided solely to promote the recovery of individuals with mental health disorders through expansion of mental health services. The authority shall implement this funding to promote integrated, whole-person care through evidence based and promising practices as follows:

(a) \$8,153,000 of the amounts provided in this subsection is provided solely for treatment services to low-income individuals with mental health disorders who are not eligible for services under the medicaid program and for treatment services that are not covered under the medicaid program. A minimum of \$7,000,000 of this amount must be contracted through behavioral health administrative services organizations. The amounts in this subsection may be used for services including, but not limited to, outpatient treatment, residential treatment, law enforcement assisted diversion programs, modified assertive community treatment, and trauma informed care.

(b) \$8,200,000 of the amounts provided in this subsection is provided solely for mental health recovery support services not covered by the medicaid program including, but not limited to, supportive housing, emergency housing vouchers, supported

employment, skills training, peer support, peer drop-in centers, and other community supports.

(c) \$2,553,000 of the amounts provided in this subsection is provided solely for efforts to support the recovery of American Indians and Alaska natives with mental health disorders.

(d) \$1,300,000 of the amounts provided in this subsection is provided solely to enhance crisis services and may be used for crisis respite care.

(e) \$2,600,000 of the amounts provided in this subsection is provided solely for the expansion of first episode psychosis programs.

(f) Up to \$1,279,000 of the amounts provided in this subsection may be used for the authority's administrative costs associated with services funded in this subsection.

(40) The authority must pursue opportunities for shifting state costs to the state's unused allocation of federal institutions for mental disease disproportionate share hospital funding.

(41) \$500,000 of the general fund—federal appropriation is provided solely to establish an emotional support network program for individuals employed as peer specialists. The authority must contract for these services which shall include, but not be limited to, facilitating support groups for peer specialists, support for the recovery journeys of the peer specialists themselves, and targeted support for the secondary trauma inherent in peer work.

(42) \$1,500,000 of the general fund—federal appropriation is provided solely for the authority to contract on a one-time basis with the University of Washington behavioral health institute to continue and enhance its efforts related to training and workforce development. This funding may be used for the following activities:

(a) Making substance use disorder training content accessible to all community behavioral health providers;

(b) Refining and implementing a substance use disorder provider needs assessment to advance best practice implementation for treatment in inpatient and outpatient settings;

(c) Disseminating innovative best practices through training and technical assistance;

(d) Developing and launching a telebehavioral health training series, providing webinars and packaging the training content so that it is accessible to all community behavioral health providers;

(e) Planning for advanced telebehavioral health training and support to providers;

(f) Convening a race, equity, and social justice in behavioral health conference annually;

(g) Developing training and technical assistance opportunities for an annual series that translates lessons learned in behavioral health equity into actionable and sustainable change at the provider, organizational, and system levels;

(h) Developing recommendations for reducing health disparities and training the workforce in culturally and linguistically relevant practices to achieve improved outcomes;

(i) Increasing the number of community substance use providers that are trained in best practice assessment and treatment models;

(j) Convening a telebehavioral health summit of leading experts regarding long-term provider telebehavioral health training and workforce needs;

(k) Creating a behavioral health workforce strategy plan that identifies gaps that are not being addressed and suggests system improvements to address those gaps;

(l) Working with community partners and key stakeholders to identify best practice strategies to evaluate and measure equity and health disparities within the behavioral health system and make recommendations regarding potential metrics to help advance system change; and

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(m) Developing metrics and evaluating telebehavioral health training needs and the impact of telebehavioral health training on provider knowledge and treatment protocols.

(43) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the King county behavioral health administrative services organization to maintain children's crisis outreach response system services that were previously funded through the department of children, youth, and families. The authority, in consultation with the behavioral health administrative services organization, medicaid managed care organizations, and the actuaries responsible for developing medicaid managed care rates, must work to maximize federal funding provided for the children's crisis outreach response system program.

(44) \$31,891,000 of the general fund—state appropriation for fiscal year 2024, \$63,395,000 of the general fund—state appropriation for fiscal year 2025, and \$172,425,000 of the general fund—federal appropriation are provided solely to implement a 15 percent increase to medicaid reimbursement for community behavioral health providers contracted through managed care organizations to be effective January 1, 2024. The authority must employ mechanisms such as directed payment or other options allowable under federal medicaid law to assure the funding is used by the managed care organizations for a 15 percent provider rate increase as intended and verify this pursuant to the process established in chapter 285, Laws of 2020 (EHB 2584). The rate increase shall be implemented to all behavioral health nonhospital inpatient, residential, and outpatient providers contracted through the medicaid managed care organizations. Psychiatric hospitals and other providers receiving rate increases under other subsections of this section must be excluded from the rate increase directed in this subsection.

(45) \$532,000 of the general fund—state appropriation for fiscal year 2024, \$2,935,000 of the general fund—state appropriation for fiscal year 2025, and \$3,467,000 of the general fund—federal appropriation are provided solely to increase the number of beds and rates for community children's long-term inpatient program providers. The number of beds is increased on a phased in basis to 72 beds by the end of fiscal year 2024. The bed day rates are increased from \$1,030 per day to \$1,121 per day effective July 1, 2023.

(46) \$505,000 of the general fund—state appropriation for fiscal year 2024, \$1,011,000 of the general fund—state appropriation for fiscal year 2025, and \$1,095,000 of the general fund—federal appropriation are provided solely to increase rates for parent child assistance program providers by 15 percent effective January 1, 2024.

(47) \$300,000 of the general fund—federal appropriation is provided solely for training of behavioral health consumer advocates. The authority must enter into a memorandum of understanding with the department of commerce to provide support for training of behavioral health consumer advocates pursuant to chapter 202, Laws of 2021 (E2SHB 1086).

(48) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with a statewide mental health nonprofit organization that provides free community and school-based mental health education and support programs for consumers and families. The contractor must use this funding to provide access to programs tailored to peers living with mental illness as well as family members of people with mental illness and the community at large. Services provided by the contracted program shall

include education, support, and assistance to reduce isolation and help consumers and families understand the services available in their communities.

(49) \$15,474,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$15,474,000)~~ \$17,125,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$14,312,000)~~ \$14,562,000 of the general fund—federal appropriation are provided solely for maintaining the expansion of local behavioral health mobile crisis response team capacity and ensuring each region has at least one adult and one children and youth mobile crisis team that is able to respond to calls coming into the 988 crisis hotline.

(a) In prioritizing this funding, the health care authority shall assure that there are a minimum of six new children and youth mobile crisis teams in comparison to the number of teams at the end of fiscal year 2021 and that there is one children and youth mobile crisis team in each region.

(b) In implementing funding for adult and youth mobile crisis response teams, the authority must establish standards in contracts with managed care organizations and behavioral health administrative services organizations for the services provided by these teams.

(c) Of these amounts, \$3,000,000 of the general fund—state appropriation for fiscal year 2024, \$3,000,000 of the general fund—state appropriation for fiscal year 2025, and \$2,024,000 of the general fund—federal appropriation are provided solely to maintain increased capacity for mobile crisis services in King county that was funded in fiscal year 2023. These amounts must supplement and not supplant funding to the county previously allocated by the authority under this subsection.

(d) Of the amounts provided in this subsection, \$1,651,000 of the general fund—state appropriation for fiscal year 2025 and \$250,000 of the general fund—federal appropriation are provided solely for adding or increasing stabilization services provided through existing children and youth mobile crisis teams.

(50) ~~(\$57,580,000)~~ \$45,094,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$61,807,000)~~ \$71,107,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$109,146,000)~~ \$69,409,000 of the general fund—federal appropriation are provided solely for the authority to contract with community hospitals or freestanding evaluation and treatment centers to provide long-term inpatient care beds as defined in RCW 71.24.025. Within these amounts, the authority must meet the requirements for reimbursing counties for the judicial services for patients being served in these settings in accordance with RCW 71.05.730. The authority must coordinate with the department of social and health services in developing the contract requirements, selecting contractors, and establishing processes for identifying patients that will be admitted to these facilities. Of the amounts in this subsection, sufficient amounts are provided in fiscal year 2024 and fiscal year 2025 for the authority to reimburse community hospitals and nonhospital residential treatment centers serving clients in long-term inpatient care beds as defined in RCW 71.24.025 as follows:

(a) For a hospital licensed under chapter 70.41 RCW that requires a hospital specific medicaid inpatient psychiatric per diem payment rate for long-term civil commitment patients because the hospital has completed a medicare cost report, the authority shall analyze the most recent medicare cost report of the hospital after a minimum of 200 medicaid inpatient psychiatric days. The authority shall establish the inpatient psychiatric per diem payment rate for long-term civil commitment patients for the hospital at 100 percent of the allowable cost of care, based on the most recent medicare cost report of the hospital.

(b) For a hospital licensed under chapter 70.41 RCW that has

not completed a medicare cost report with more than 200 medicaid inpatient psychiatric days, the authority shall establish the medicaid inpatient psychiatric per diem payment rate for long-term civil commitment patients for the hospital at the higher of the hospital's current medicaid inpatient psychiatric rate; or the annually updated statewide average of the medicaid inpatient psychiatric per diem payment rate of all acute care hospitals licensed under chapter 70.41 RCW providing long-term civil commitment services.

(c) For a hospital licensed under chapter 71.12 RCW and currently providing long-term civil commitment services, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at \$940 for fiscal year 2024 and \$1,250 for fiscal year 2025 plus adjustments that may be needed to capture costs associated with long-term psychiatric patients that are not allowable on the medicare cost report or reimbursed separately. The hospital may provide the authority with supplemental data to be considered and used to make appropriate adjustments to the medicaid inpatient psychiatric per diem payment rate of the hospital. Adjustment of costs may include:

(i) Costs associated with professional services and fees not accounted for in the hospital's medicare cost report or reimbursed separately;

(ii) Costs associated with the hospital providing the long-term psychiatric patient access to involuntary treatment court services that are not reimbursed separately; and

(iii) Other costs associated with caring for long-term psychiatric patients that are not reimbursed separately.

(d) For a hospital licensed under chapter 71.12 RCW that requires an initial medicaid inpatient psychiatric per diem payment rate for long-term civil commitment services because it has not yet completed a medicare cost report, the authority shall establish the medicaid inpatient psychiatric per diem payment rate at the higher of:

(i) The hospital's current medicaid inpatient psychiatric rate; or

(ii) The annually updated statewide average of the medicaid long-term inpatient psychiatric per diem payment rate of all freestanding psychiatric hospitals licensed under chapter 71.12 RCW providing long-term civil commitment services.

(e) For nonhospital residential treatment centers certified to provide long-term inpatient care beds as defined in RCW 71.24.025, the authority shall establish the medicaid psychiatric per diem payment rate at the fiscal year 2023 level for fiscal year 2024 and \$1,250 per bed for fiscal year 2025.

(f) Beginning in fiscal year 2024, the authority shall pay a rate enhancement for patients committed pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The enhancement shall be available to all hospital and nonhospital facilities providing services under this subsection except those whose rates are set at 100 percent of their most recent medicare cost report. The rate enhancement shall not exceed the tiered rate enhancements established under the 1915(i) state plan.

(g) Beginning in fiscal year 2025, the authority may pay a rate enhancement of \$500 per day for individuals with complex medical needs, challenging behaviors often diagnosed with co-occurring intellectual or developmental disability, traumatic brain injury, dementia, or significant medical issues requiring personal care. The rate enhancement shall be available to providers contracting directly with the authority.

(h) Provider payments for vacant bed days shall not exceed six percent of their annual contracted bed days.

~~((h))~~ (i) The authority, in coordination with the department of social and health services, the office of the governor, the office of financial management, and representatives from medicaid managed care organizations, behavioral health administrative

service organizations, and community providers, must update its plan to continue the expansion of civil community long-term inpatient capacity. The plan shall identify gaps and barriers in the current array of community long-term inpatient beds in serving higher need individuals including those committed to a state hospital pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088. The plan shall identify strategies to overcome these barriers including, but not limited to, potential rate enhancements for high needs clients. The authority must submit its updated implementation plan to the office of financial management and the appropriate fiscal committees of the legislature by December 1, 2023, and submit a status update on the implementation plan by October 15, 2024.

(51)(a) ~~((150,000))~~ \$200,000 of the general fund—state appropriation for fiscal year 2024 and ~~((150,000))~~ \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a one-time grant to Island county to maintain support for a pilot program to improve behavioral health outcomes for young people in rural communities. In administering the pilot program, Island county shall coordinate with school districts, community groups, and health care providers to increase access to behavioral health programs for children and youth aged birth to 24 years of age. The grant funds shall be used to coordinate and expand behavioral health services. The grant funding must not be used to supplant funding from existing programs. No more than 10 percent of the funds may be used for administrative costs incurred by Island county in administering the program. Services that may be provided with the grant funding include, but are not limited to:

(i) Support for children and youth with significant behavioral health needs to address learning loss caused by COVID-19 and remote learning;

(ii) School based behavioral health education, assessment, and brief treatment;

(iii) Screening and referral of children and youth to long-term treatment services;

(iv) Behavioral health supports provided by community agencies serving youth year-round;

(v) Expansion of mental health first aid, a program designed to prepare adults who regularly interact with youth for how to help people in both crisis and noncrisis mental health situations;

(vi) Peer support services; and

(vii) Compensation for the incurred costs of clinical supervisors and internships.

(b) The authority, in coordination with Island county, must submit to the office of financial management and the appropriate committees of the legislature, a report summarizing how the funding was used and providing the number of children and youth served by the pilot during fiscal year 2024 by December 1, 2024.

(52) ~~((265,000))~~ \$315,000 of the general fund—state appropriation for fiscal year 2024, ~~((281,000))~~ \$494,000 of the general fund—state appropriation for fiscal year 2025, and ~~((546,000))~~ \$809,000 of the general fund—federal appropriation are provided solely for the authority to ~~((provide))~~ contract with the University of Washington's project extension for community health outcomes (ECHO) and the systemic, therapeutic, assessment, resources, and treatment (START) programs for specialized training and consultation for physicians and professionals to support ((children)):

(a) Children with developmental disabilities and behavioral health needs;

(b) Applied behavior analysis provider training, education, and consultation; and

(c) The screening and diagnosis of autism spectrum disorder.

(53) ~~((2,184,000))~~ \$2,262,000 of the general fund—federal appropriation and ~~((2,184,000))~~ \$2,262,000 of the general

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fund—local appropriation are provided solely for supported housing and employment services described in initiative 3a and 3b of the 1115 demonstration waiver and this is the maximum amount that may be expended for this purpose. Within these amounts, funding is provided for the authority to support community discharge efforts for patients at the state hospitals. Under this initiative, the authority and the department of social and health services shall ensure that allowable and necessary services are provided to eligible clients as identified by the authority or its providers or third party administrator. The department and the authority in consultation with the medicaid forecast work group, shall ensure that reasonable reimbursements are established for services deemed necessary within an identified limit per individual. The authority shall not increase general fund—state expenditures above appropriated levels for this specific purpose. The secretary in collaboration with the director of the authority shall report to the joint select committee on health care oversight no less than quarterly on financial and health outcomes. The secretary in cooperation with the director shall also report to the fiscal committees of the legislature the expenditures of this subsection and shall provide such fiscal data in the time, manner, and form requested by the legislative fiscal committees.

(54) \$130,000 of the general fund—federal appropriation is provided solely for the authority to participate in efforts to ensure behavioral health agencies are compensated for their role as teaching clinics for students seeking professional education in behavioral health disciplines and for new graduates working toward licensure.

(55) \$250,000 of the general fund—state appropriation for fiscal year 2024, \$934,000 of the general fund—state appropriation for fiscal year 2025, and \$1,447,000 of the general fund—federal appropriation are provided solely for increasing case management services to pregnant and parenting women provided through the parent child assistance program and for increasing the number of residential treatment beds available for pregnant and parenting women.

(56) Within the amounts provided in this section, sufficient funding is provided for the authority to maintain and increase the capabilities of a tool to track medication assisted treatment provider capacity.

(57) \$2,000,000 of the general fund—federal appropriation is provided solely for grants to law enforcement and other first responders to include a mental health professional on the team of personnel responding to emergencies.

(58) (~~(\$1,653,000)~~) \$855,000 of the general fund—state appropriation for fiscal year 2025 and (~~(\$2,024,000)~~) \$1,149,000 of the general fund—federal appropriation are provided solely for the authority to contract for long-term involuntary treatment services in a 16-bed residential treatment facility being developed by the Tulalip tribe in Stanwood.

(59) \$956,000 of the general fund—state appropriation for fiscal year 2024 and \$956,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for wraparound with intensive services for youth ineligible for medicaid as outlined in the settlement agreement under *AGC v. Washington State Health Care Authority*, Thurston county superior court no. 21-2-00479-34.

(60) (~~(\$18,188,000)~~) \$14,637,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$18,188,000)~~) \$14,637,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for claims rendered to medicaid eligible clients admitted to institutions of mental disease that were determined to be unallowable for federal reimbursement due to medicaid's institutions for mental disease exclusion rules.

(61) \$6,010,000 of the general fund—state appropriation for fiscal year 2024, \$6,010,000 of the general fund—state appropriation for fiscal year 2025, and \$1,980,000 of the general fund—federal appropriation are provided solely for the authority, in coordination with the department of health, to deploy an opioid awareness campaign and to contract with syringe service programs and other service settings assisting people with substance use disorders to: Prevent and respond to overdoses; provide other harm reduction services and supplies, including but not limited to distributing naloxone; fentanyl testing and other drug testing supplies; and for expanding contingency management services. The authority is encouraged to use these funds to leverage federal funding for this purpose to expand buying power when possible. The authority should prioritize funds for naloxone in coordination with the department of health, to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone for agency staff in organizations such as syringe service programs, housing providers, and street outreach programs. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to deploy an opioid awareness campaign targeted at youth to increase the awareness of the dangers of fentanyl.

(62) \$4,763,000 of the general fund—state appropriation for fiscal year 2024, \$4,763,000 of the general fund—state appropriation for fiscal year 2025, and \$25,754,000 of the general fund—federal appropriation are provided solely to maintain a rate increase authorized for opioid treatment providers on January 1, 2023.

(63) \$2,387,000 of the general fund—state appropriation for fiscal year 2024 and \$2,387,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support individuals enrolled in the foundational community supports initiative who are transitioning from benefits under RCW 74.04.805 due to increased income or other changes in eligibility. The authority, department of social and health services, and department of commerce shall collaborate on this effort.

(64) \$2,249,000 of the general fund—state appropriation for fiscal year 2024 and \$2,249,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with programs to provide medical respite care for individuals with behavioral health needs. The programs must serve individuals with complex medical issues, who may also have significant behavioral health needs (~~(and medical issues)~~) who do not require hospitalization but are unable to provide adequate self-care for their medical conditions. The programs must prioritize services to individuals with complex medical and behavioral health issues who are homeless or who were recently discharged from a hospital setting. The services must meet quality standards and best practices developed by the national health care for the homeless council and may include, but are not limited to, medical oversight and health education; care transitions; and discharge planning to and from primary care, inpatient hospital, emergency rooms, and supportive housing. In selecting the contractors, the authority must prioritize projects that demonstrate the active involvement of an established medical provider that is able to leverage federal medicaid funding in the provision of these services. The authority must work with the medicaid managed care organizations to encourage their participation and assist the plans and the contractor in identifying mechanisms for appropriate use of medicaid reimbursement in

this setting.

(65) \$988,000 of the general fund—state appropriation for fiscal year 2024, \$988,000 of the general fund—state appropriation for fiscal year 2025, and \$618,000 of the general fund—federal appropriation are provided solely for the authority to contract for three regional behavioral health mobile crisis response teams focused on supported housing to prevent individuals with behavioral health conditions at high risk of losing housing from becoming homeless, identify and prioritize serving the most vulnerable people experiencing homelessness, and increase alternative housing options to include short-term alternatives which may temporarily deescalate situations where there is high risk of a household from becoming homeless.

(66) \$5,623,000 of the general fund—state appropriation for fiscal year 2024, \$5,623,000 of the general fund—state appropriation for fiscal year 2025, and \$3,748,000 of the general fund—federal appropriation are provided solely to maintain and expand access to no barrier, and low-barrier programs using a housing first model designed to assist and stabilize housing supports for adults with behavioral health conditions. Housing supports and services shall be made available with no requirement for treatment for their behavioral health condition and must be individualized to the needs of the individual. The authority and department of commerce shall collaborate on this effort and must submit a status report to the office of financial management and the appropriate committees of the legislature by December 31, 2023.

(67) \$675,000 of the general fund—state appropriation for fiscal year 2024 and \$675,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a rental voucher and bridge program and to implement strategies to reduce instances where an individual leaves a state operated behavioral or private behavioral health facility directly into homelessness. The authority must prioritize this funding for individuals being discharged from state operated behavioral health facilities.

(68) \$361,000 of the general fund—state appropriation for fiscal year 2024, \$361,000 of the general fund—state appropriation for fiscal year 2025, and \$482,000 of the general fund—federal appropriation are provided solely for the authority, in collaboration with the department of social and health services research and data analysis division, to implement community behavioral health service data into the existing executive management information system. Of these amounts, \$288,000 of the general fund—state appropriation for fiscal year 2024, \$288,000 of the general fund—state appropriation for fiscal year 2025, and \$384,000 of the general fund—federal appropriation are provided solely for the authority to reimburse the research and data analysis division for staff costs associated with this project. The data elements shall be incorporated into the monthly executive management information system reports on a phased-in basis, allowing for elements which are readily available to be incorporated in the initial phase, and elements which require further definition and data collection changes to be incorporated in a later phase. The authority must collaborate with the research and data analysis division to ensure data elements are clearly defined and must include requirements in medicaid managed care organization and behavioral health administrative services organization contracts to provide the data in a consistent and timely manner for inclusion into the system. The community behavioral health executive management system information data elements must include, but are not limited to: Psychiatric inpatient bed days; evaluation and treatment center bed days; long-term involuntary community psychiatric inpatient bed days; children's long-term inpatient bed days; substance use disorder inpatient, residential, withdrawal evaluation and management, and secure

withdrawal evaluation and management bed days; crisis triage and stabilization services bed days; mental health residential bed days; mental health and substance use disorder outpatient treatment services; opioid substitution and medication assisted treatment services; program of assertive treatment team services; wraparound with intensive services; mobile outreach crisis services; recovery navigator team services; foundational community supports housing and employment services; projects for assistance in transition from homelessness services; housing and recovery through peer services; other housing services administered by the authority; mental health and substance use disorder peer services; designated crisis responder investigations and outcomes; involuntary commitment hearings and outcomes; pregnant and parenting women case management services; and single bed certifications and no available bed reports. Wherever possible and practical, the data must include historical monthly counts and shall be broken out to distinguish services to medicaid and nonmedicaid individuals and children and adults. The authority and the research and data analysis division must consult with the office of financial management and staff from the fiscal committees of the legislature on the development and implementation of the community behavioral health data elements.

(69) \$2,587,000 of the general fund—state appropriation for fiscal year 2024 and \$2,587,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to support efforts by counties and cities to implement local response teams. Of these amounts:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to provide a grant to the association of Washington cities to assist cities with the costs of implementing alternative response teams. This funding must be used to reimburse cities for documented costs associated with creating co-responder teams within different alternative diversion models including law enforcement assisted diversion programs, community assistance referral and education programs, and as part of mobile crisis teams. Cities are encouraged to partner with each other to create a regional response model. In awarding these funds, the association must prioritize applicants with demonstrated capacity for facility-based crisis triage and stabilization services. The association and authority must collect and report information regarding the number of facility-based crisis stabilization and triage beds available in the locations receiving funding through this subsection and submit a report to the office of financial management and the appropriate committees of the legislature with this information by December 1, 2023.

(b) \$587,000 of the general fund—state appropriation for fiscal year 2024 and \$587,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the Whatcom county alternative response team.

(70) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with the University of Washington addictions, drug, and alcohol institute. This funding must be used for advanced, evidence-based training for law enforcement to improve interactions with individuals who use drugs. The training must be developed so it can be adapted and used statewide to decrease stigmatizing beliefs among law enforcement through positive contact with people who use drugs and improve officer well-being and effectiveness by providing skills and techniques to address the drug overdose epidemic. The institute must develop and refine this training, leveraging prior work, and in partnership with a steering committee that includes people with lived or living

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experience of substance use disorder and criminal legal involvement, researchers, clinicians, law enforcement officers, and others. The training must complement, but not duplicate, existing curricula already provided by the criminal justice training commission. The institute must pilot the advanced training in a subset of regional law enforcement agencies and evaluate its acceptability and feasibility through participant interviews and pretraining and posttraining ratings of stigmatizing beliefs. The institute must incorporate feedback from the pilot training sessions into a final training program that it must make available to law enforcement agencies across the state.

(71) ~~(\$1,000,000)~~ \$400,000 of the general fund—state appropriation for fiscal year 2024 ~~(is)~~ and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue development and implementation of the certified community behavioral health clinic model for comprehensive behavioral health services. Funding must be used to secure actuarial expertise, conduct research into national data and other state models, including obtaining resources and expertise from the national council for mental well-being certified community behavioral health clinic success center; and engage stakeholders, including representatives of licensed community behavioral health agencies and medicaid managed care organizations, in the process. The authority must provide a report to the office of financial management and the appropriate committees of the legislature with findings, recommendations, and cost estimates by December 31, 2024. The study must build on the preliminary report submitted to the legislature in December 2022 and include:

(a) Overviews of options and considerations for implementing the certified community behavioral health clinic model within Washington state, including participation as a certified community behavioral health clinic demonstration state or for independent statewide implementation;

(b) An analysis of the impact of expanding the certified community behavioral health clinic model on the state's behavioral health systems;

(c) Relevant federal regulations and options to implement the certified community behavioral health clinic model under those regulations;

(d) Options for implementing a prospective payment system methodology;

(e) An analysis of the benefits and potential challenges for integrating the certified community behavioral health clinic reimbursement model within an integrated care environment;

(f) Actuarial analysis on the costs for implementing the certified community behavioral health clinic model, including opportunities for leveraging federal funding; and

(g) Recommendations to the legislature on a pathway for statewide implementation including a plan for implementation no later than fiscal year 2027 that must include the following:

(i) Implementation of the certified community behavioral health clinic model with clinics that adhere to the program standards under the federal substance abuse and mental health services administration demonstration program established under section 223 of the federal protecting access to medicare act of 2014 (42 U.S.C. Sec. 1396a note), as amended by the bipartisan safer communities act (P.L. 117-159);

(ii) Incorporation in the planned funding model of at least one of the prospective payment system methodologies approved by the centers for medicare and medicaid services;

(iii) The plan may allow for the certified community behavioral health clinic funding model to be implemented either by applying for and joining the federal demonstration program referenced in (g)(i) of this subsection, applying to the centers for medicare and

medicaid services for a medicaid state plan waiver or amendment, or both;

(iv) Continued consultation with the national council for mental wellbeing's certified community behavioral health clinic success center for technical assistance and meaningful opportunities for community behavioral health agencies to participate and offer feedback throughout the implementation process; and

(v) Inclusion of services to children, youth, and families through the certified community behavioral health clinic funding model through providers that serve individuals of all ages as well as specialty providers that serve children, youth, and families.

(72) \$1,135,000 of the general fund—state appropriation for fiscal year 2025 and \$568,000 of the general fund—federal appropriation are provided solely to develop and operate a 16-bed substance use disorder inpatient facility in Grays Harbor county that specializes in treating pregnant and parenting women using a family preservation model. The authority must contract for these services through behavioral health entities in a manner that allows leveraging of federal medicaid funds to pay for a portion of the costs. The authority must consult with the department of children, youth, and families in the implementation of this funding. The facility must allow families to reside together while a parent is receiving treatment. Of these amounts, \$568,000 may be used for documented startup costs including the recruitment, hiring, and training of staff. If the authority is able to identify a provider that can begin developing these services before July 2024, it must notify the office of financial management and the appropriate committees of the legislature and submit a request for funding in the fiscal year 2024 supplemental operating budget.

(73) \$160,000 of the general fund—state appropriation for fiscal year 2024 is provided on a one-time basis solely for the authority to continue a grant to the city of Snoqualmie to pilot behavioral health emergency response and coordination services through a regional behavioral health coordinator. The regional behavioral health coordinator shall be a licensed mental health or substance use disorder professional who works directly with and accompanies law enforcement officers and fire and rescue first responders to help respond to crises involving persons with behavioral health needs. The coordinator shall plan, implement, and coordinate services related to crisis response and social service needs with the city of Snoqualmie, the city of North Bend, the Snoqualmie police and fire departments, and the eastside fire and rescue agency serving North Bend, and local community services, school districts, hospitals, and crisis response systems provided by King county for the region. The coordinator shall support the social services needs identified through police and fire response in the lower Snoqualmie valley and serve as a liaison between law enforcement, first responders, and persons accessing or requesting emergency services with social service needs. The authority shall collect information on the pilot project and, in coordination with the city of Snoqualmie, must submit a report to the office of financial management and the appropriate committees of the legislature by December 31, 2023, summarizing the services provided through the grant funds and identifying recommendations on how to implement effective, integrated, coordinated behavioral health emergency response and community care services. The authority must also provide the report to the criminal justice training commission, the Washington association of sheriffs and police chiefs, and the Washington fire commissioners association.

(74) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract for services with a statewide recovery

community organization. The authority must award this funding to an organization that: (a) Has experience building the capacity of the recovery community to advance substance use recovery and mental health wellness by catalyzing public understanding and shaping public policy; (b) is led and governed by representatives of local communities of recovery; (c) centers the voices of people with lived experience who are touched by addiction and mental health challenges, and harnesses the power of story to drive change in the mental health and addiction treatment systems; and (d) provides free community education, skills trainings, events, and a conference in order to increase the understanding of issues around behavioral health and recovery. Services provided by the contracted program must include education, support, and assistance to increase connection of the recovery community, recovery capital, and knowledge about recovery and mental health resources. In conducting this work, the contractor must engage diverse individuals in recovery, impacted families, and providers from all regions of the state and leverage the assistance of affiliated groups and organizations. The organization must also prioritize diversity, equity, and justice in their work to eradicate health disparities of marginalized communities.

(75) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue and expand a contract with a Seattle based nonprofit organization with experience matching voluntary specialty care providers with patients in need of care to provide pro bono counseling and behavioral health services to uninsured and underinsured individuals with incomes below 300 percent of the federal poverty level. The authority may require the contractor to seek, document, and report to the authority on efforts to leverage local, federal, or philanthropic funding to provide sustained operational support for the program.

(76) (~~(\$2,437,000)~~) \$3,437,000 of the general fund—state appropriation for fiscal year 2024, \$4,772,000 of the general fund—state appropriation for fiscal year 2025, and \$1,705,000 of the general fund—federal appropriation are provided solely for the authority to contract for youth inpatient navigator services in seven regions of the state. The services must be provided through clinical response teams that receive referrals for children and youth inpatient services and manage a process to coordinate placements and alternative community treatment plans. Of these amounts for each fiscal year, \$445,000 of the general fund—state appropriation and \$79,000 of the general fund—federal appropriation are provided solely to contract for services through an existing program located in Pierce county.

(77) \$7,601,000 of the general fund—state appropriation for fiscal year 2024, \$7,601,000 of the general fund—state appropriation for fiscal year 2025, and \$2,820,000 of the general fund—federal appropriation are provided solely for assisted outpatient treatment and other costs associated with implementation of chapter 210, Laws of 2022 (SHB 1773). Of the amount provided in this subsection, \$1,000 is for implementation of Engrossed Senate Bill No. 5130 (assisted outpatient treatment).

(78) (~~(\$1,878,000)~~) \$1,664,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$429,000)~~) \$2,883,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to support the children and youth behavioral health work group to consider and develop longer term strategies and recommendations regarding the delivery of behavioral health services for children, transitioning youth, and their caregivers pursuant to chapter 76, Laws of 2022 (2SHB 1890).

(79) Sufficient funding is provided for the authority to extend continuous eligibility for apple health to children ages zero to six

with income at or below 215 percent of the federal poverty level. The centers for medicare and medicaid services must approve the 1115 medicaid waiver prior to the implementation of this policy.

(80) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contingency management resources in accordance with chapter 311, Laws of 2021 (ESB 5476).

(81) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to continue a contract for services funded in section 215(127), chapter 297, Laws of 2022 (ESSB 5693) to provide information and support related to safe housing and support services for youth exiting inpatient mental health and/or substance use disorder facilities to stakeholders, inpatient treatment facilities, young people, and other community providers that serve unaccompanied youth and young adults.

(82) (~~(\$2,336,000)~~) \$2,616,000 of the general fund—state appropriation for fiscal year 2024, (~~(2,336,000)~~) \$3,322,000 of the general fund—state appropriation for fiscal year 2025, (~~and \$3,036,000~~) \$2,145,000 of the general fund—federal appropriation, and \$2,624,000 of the opioid abatement settlement account—state appropriation are provided solely for the authority to contract with opioid treatment providers to operate mobile methadone units to address treatment gaps statewide. Within the amounts provided, the authority must provide service support subsidies to all mobile methadone units including those that began operations prior to fiscal year 2024. The authority must work with the actuaries responsible for setting medicaid managed care rates to explore options for creating a specific rate for mobile medication units that reflects the unique costs of these programs. The authority must provide a report to the office of financial management and the appropriate committees of the legislature which summarizes the analysis and identifies the options and related costs by December 1, 2024.

(83) \$216,000 of the general fund—state appropriation for fiscal year 2024, \$427,000 of the general fund—state appropriation for fiscal year 2025, and \$1,454,000 of the general fund—federal appropriation are provided solely for the authority to increase fee for service rates for mental health and substance use disorder treatment by 22 percent. This rate increase shall be effective January 1, 2024. This rate increase does not apply to per diem costs for long-term civil commitment inpatient services or for services for which rate increases were provided under other subsections of this section. Services affected by the psychiatric rebase in subsection (84) of this section are excluded from this rate increase. The authority must include the proportional costs of increasing fee-for-service rates for mental health and substance use disorder treatment paid on behalf of tribal members not electing enrollment in managed care plans in any agency request decision package it submits during the fiscal biennium for increasing provider rates in the managed care behavioral health program.

(84) Sufficient amounts are provided in this section for the authority to rebase community hospital psychiatric inpatient rates effective January 1, 2024. Rebasing adjustments shall be based on adjusted calendar year 2020 medicare cost reports.

(85)(a) (~~(\$3,805,000)~~) \$5,778,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority, beginning July 1, 2024, to implement a program with coverage comparable to the amount, duration, and scope of care provided in the categorically needy medicaid program for adult individuals who:

(i) Have an immigration status making them ineligible for federal medicaid or federal subsidies through the health benefit

exchange;

(ii) Are age 19 and older, including over age 65, and have countable income of up to 138 percent of the federal poverty level; and

(iii) Are not eligible for another full scope federally funded medical assistance program, including any expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(b) Within the amount provided in this subsection, the authority shall use the same eligibility, enrollment, redetermination and renewal, and appeals procedures as categorically needy medicaid, except where flexibility is necessary to maintain privacy or minimize burden to applicants or enrollees.

(c) The authority in collaboration with the health benefit exchange, the department of social and health services, and community organizations must develop and implement an outreach and education campaign.

(d) The authority must provide the following information to the governor's office and appropriate committees of the legislature by February 1st and November 1st of each year:

(i) Actual and forecasted expenditures;

(ii) Actual and forecasted data from the caseload forecast council; and

(iii) The availability and impact of any federal program or proposed rule that expands access to health care for the population described in this subsection, such as the expansion of medicaid coverage for deferred action for childhood arrivals recipients.

(e) The amount provided in this subsection is the maximum amount that may be expended for the purposes of this program.

(86)(a) \$2,317,000 of the general fund—state appropriation for fiscal year 2024 and \$4,433,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a targeted grant program to three behavioral health administrative services organizations to transition persons who are either being diverted from criminal prosecution to behavioral health treatment services or are in need of housing upon discharge from crisis stabilization services. The authority must provide an opportunity for all of the behavioral health administrative service organizations to submit plans for consideration.

(b) Grant criteria must include, but are not limited to:

(i) A commitment to matching individuals with temporary lodging or permanent housing, including supportive housing services and supports, that is reasonably likely to fit their actual needs and situation, is noncongregate whenever possible, and takes into consideration individuals' immediate and long-term needs and abilities to achieve and maintain housing stability; and

(ii) A commitment to transition individuals who are initially matched to temporary lodging into a permanent housing placement, including appropriate supportive housing supports and services, within six months except under unusual circumstances.

(c) When awarding grants, the authority must prioritize applicants that:

(i) Provide matching resources;

(ii) Focus on ensuring an expeditious path to sustainable permanent housing solutions; and

(iii) Demonstrate an understanding of working with individuals who experience homelessness or have interactions with the criminal legal system to understand their optimal housing type and level of ongoing services.

(87)(a) \$2,266,000 of the general fund—state appropriation for fiscal year 2024, \$14,151,000 of the general fund—state appropriation for fiscal year 2025, and \$19,269,000 of the general fund—federal appropriation are provided solely for services to medicaid and state funded clients in behavioral health residential treatment facilities that are scheduled to open during the 2023-

2025 fiscal biennium.

(b) Within the amounts provided in this subsection, \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to reimburse the department of social and health services for staffing costs related to tracking behavioral health community capacity through the community behavioral health executive management information system and providing annual reports on the implementation of new behavioral health community capacity.

(c) The department of commerce, the department of health, and the authority must cooperate with the department of social and health services in collecting and providing the data necessary to incorporate tracking of behavioral health beds into the behavioral health executive management information system and to prepare the required reports. The agencies must work to ensure they are using consistent definitions in classifying behavioral health bed types for the purpose of reporting capacity and utilization.

(d) The authority and the department of social and health services must begin tracking behavioral health bed utilization for medicaid and state funded clients by type of bed in the executive management information system by October 1, 2023. The department of commerce shall identify to the department of social and health services all providers that have received funding through their capital grant program since the 2013-2015 fiscal biennium. The department of social and health services must incorporate tracking of services by provider including an element to identify providers that have received funding through the capital budget so that reports can be provided related to the average daily client counts for medicaid and state funded clients being served by provider and by facility type.

(e) By November 1, 2023, the department of social and health services, in coordination with the department of commerce, the department of health, and the authority, must submit an annual report to the office of financial management and the appropriate committees of the legislature. The first annual report must provide information on the facilities that received funding through the department of commerce's behavioral health community capacity grant funding since the 2013-2015 fiscal biennium and the utilization across all behavioral health facilities for medicaid and state funded clients. The report must provide the following information for each facility that has received funding through the capital budget: (i) The amount received by the state and the total project cost; (ii) the facility address; (iii) the number of new beds or additional bed capacity by the service type being provided; and (iv) the utilization of the additional beds by medicaid or state funded clients by service type.

(f) By November 1, 2024, the department of social and health services must submit the second annual report to the office of financial management and the appropriate committees of the legislature. The second annual report must update the bed capacity and utilization information required in the first report and compare that capacity to demand by service type by geographical region of the state.

(88) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the efforts of the joint legislative and executive committee on behavioral health established in section 135 of this act.

(89) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the general fund—federal appropriation are provided solely to support the provision of behavioral health co-responder services on nonlaw enforcement emergency medical response teams.

(90) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract on a one-time basis with the King county behavioral health administrative services organization to expand medication for opioid use disorder treatment services in King county.

(91) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the authority to contract on a one-time basis with the behavioral health administrative services organization serving Kitsap county for crisis triage services in the county that are not being reimbursed through the medicaid program.

(92) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract on a one-time basis with the behavioral health administrative services organization serving Snohomish county for start-up costs in a new 32-bed community recovery center in Lynnwood that will provide crisis services to medicaid and other low income residents.

~~(93) (\$3,142,000 of the general fund—state appropriation for fiscal year 2024, \$3,869,000 of the general fund—state appropriation for fiscal year 2025, and \$10,574,000 of the general fund—federal appropriation are provided solely to reimburse the department of social and health services for the costs of medicaid services at a 16-bed residential treatment facility serving long-term involuntary inpatient patients. The authority and the department of social and health services must utilize case rate and cost based reimbursement models to maximize federal matching funds at the facility. Up to \$200,000 of the general fund—state appropriation for fiscal year 2024 may be used to facilitate these efforts.~~

~~(94))~~ (94) \$313,000 of the general fund—federal appropriation is provided solely to support a media campaign for Native Americans related to the prevention of substance abuse and suicide.

~~((95))~~ (94) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with up to two behavioral health agencies that are interested in offering or expanding wraparound with intensive services for children and youth. The funds may be used to support costs associated with recruitment, training, technical assistance, or other appropriate costs required to develop the capacity to offer these specialized services.

~~((96))~~ (95) \$22,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~((22,000,000))~~ \$24,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with behavioral health administrative service organizations to implement the statewide recovery navigator program established in chapter 311, Laws of 2021 (ESB 5476) and for related technical assistance to support this implementation. This includes funding for recovery navigator teams to provide community-based outreach and case management services based on the law enforcement assisted diversion model and for technical assistance support from the law enforcement assisted diversion national support bureau. The authority and technical assistance contractor must encourage recovery navigator programs to provide educational information and outreach regarding recovery navigator program services to local retailers that have high levels of retail theft. Of the amounts provided in this subsection~~((:))~~:

(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 must be allocated to maintain

recovery navigator services in King, Pierce, and Snohomish counties. These amounts must be in addition to the proportion of the allocation of the remaining funds in this subsection the regional behavioral health administrative services organizations serving those counties were allocated pursuant to section 22(1), chapter 311, Laws of 2021.

(b) \$2,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for expanding recovery navigator program services in regions where fiscal year 2025 projected expenditures will exceed revenues provided under this subsection. In allocating these amounts, the authority must prioritize regions where the combined fiscal year 2025 recovery navigator program allocations and recovery navigator program reserve balances are inadequate to cover estimated fiscal year 2025 expenditures.

~~((97))~~ (96) \$3,114,000 of the general fund—state appropriation for fiscal year 2024, \$3,114,000 of the general fund—state appropriation for fiscal year 2025, and \$5,402,000 of the general fund—federal appropriation are provided solely for the authority to implement clubhouse services in every region of the state.

~~((98))~~ (97) \$7,500,000 of the general fund—state appropriation for fiscal year 2024 and \$7,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to implement homeless outreach stabilization teams pursuant to chapter 311, Laws of 2021 (ESB 5476).

~~((99))~~ (98) \$2,500,000 of the general fund—state appropriation for fiscal year 2024, \$2,500,000 of the general fund—state appropriation for fiscal year 2025, \$81,000 of the general fund—federal appropriation, and ~~((5,000,000))~~ \$12,280,000 of the opioid abatement settlement account—state appropriation are provided solely for the authority to expand efforts to provide opioid use disorder and alcohol use disorder medication in city, county, regional, and tribal jails.

~~((100))~~ (99) \$1,400,000 of the general fund—state appropriation for fiscal year 2024 and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for behavioral health administrative service organizations to develop regional recovery navigator program plans pursuant to chapter 311, Laws of 2021 (ESB 5476), and to establish positions focusing on regional planning to improve access to and quality of regional behavioral health services with a focus on integrated care.

~~((101))~~ (100) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract with an organization with expertise in supporting efforts to increase access to and improve quality in recovery housing and recovery residences. This funding shall be used to increase recovery housing availability through partnership with private landlords, increase accreditation of recovery residences statewide, operate a grievance process for resolving challenges with recovery residences, and conduct a recovery capital outcomes assessment for individuals living in recovery residences.

~~((102))~~ (101) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$4,000,000 of the opioid abatement settlement account—state appropriation are provided solely for the authority to provide short-term housing vouchers for individuals with substance use disorders.

~~((103))~~ (102) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to convene and provide staff and contracted services support to the recovery oversight committee established

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in chapter 311, Laws of 2021 (ESB 5476).

~~((104))~~ (103) \$2,565,000 of the general fund—state appropriation for fiscal year 2024 and \$2,565,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to develop and implement the recovery services plan and to carry out other requirements of chapter 311, Laws of 2021 (ESB 5476). Within these amounts, funding is provided for the authority to:

(a) Establish an occupational nurse consultant position within the authority to provide contract oversight, accountability, and performance improvement activities, and to ensure medicaid managed care organization plan compliance with provisions in law and contract related to care transitions work with local jails; and

(b) Establish a position within the authority to create and oversee a program to initiate and support emergency department programs for inducing medications for patients with opioid use disorder paired with a referral to community-based outreach and case management programs.

~~((105) \$400,000 of the general fund—federal appropriation)~~ (104) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely ~~((to support the development and implementation of the parent portal directed in chapter 134, Laws of 2022 (SHB 1800)))~~ for the authority to continue work with the convener of the Washington state children's behavioral health statewide family network to develop a parent online platform, known as BH360, to continue work on ecosystem mapping, technical development of the portal platform, and to engage families with lived experience on strategic development of the platform.

~~((106) \$23,763,000)~~ (105) \$23,148,000 of the general fund—federal appropriation is provided solely for the authority to contract with the University of Washington behavioral health teaching facility to provide long-term inpatient care beds as defined in RCW 71.24.025. The authority must coordinate with the department of social and health services and the University of Washington to evaluate and determine criteria for the current population of state hospital patients, committed pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, who can be effectively treated at the University of Washington behavioral health teaching facility. The authority, in coordination with the department of social and health services and the University of Washington, must submit a report to the office of financial management and the appropriate committees of the legislature by December 1, 2023, summarizing the numbers and types of patients that are committed to the state hospitals pursuant to the dismissal of criminal charges and a civil evaluation ordered under RCW 10.77.086 or 10.77.088, the numbers and types that would be appropriate to be served at the University of Washington behavioral health teaching facility, and the criteria that was used to make the determination.

~~((107))~~ (106) \$444,000 of the general fund—state appropriation for fiscal year 2024, \$444,000 of the general fund—state appropriation for fiscal year 2025, and \$716,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1515 (behavioral health contracts). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(108))~~ (107)(a) \$320,000 of the general fund—state appropriation for fiscal year 2024, ~~((796,000))~~ \$1,796,000 of the general fund—state appropriation for fiscal year 2025, and \$1,196,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1168 (prenatal substance exposure). ~~((If the bill is not~~

~~enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(b) Of the amounts provided in (a) of this subsection, \$500,000 of the general fund—federal appropriation is provided solely for the authority to contract with a statewide nonprofit entity with expertise in fetal alcohol spectrum disorders and experience in supporting parents and caregivers to offer free support groups for individuals living with fetal alcohol spectrum disorders and their parents and caregivers.

~~((109))~~ (108) \$91,000 of the general fund—state appropriation for fiscal year 2024, \$91,000 of the general fund—state appropriation for fiscal year 2025, and \$126,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(111))~~ (109) \$5,474,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$210,000 of the general fund—federal appropriation are provided solely for the authority to implement Engrossed Second Substitute House Bill No. 1134 (988 system).

(a) Within these amounts, \$4,000,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for the authority to provide grants to new or existing mobile rapid response teams and to community-based crisis teams to support efforts for meeting the standards and criteria for receiving an endorsement pursuant to provisions of the bill. In awarding grants under this subsection, the authority must prioritize funding for proposals that demonstrate experience and strategies that prioritize culturally relevant services to community members with the least access to behavioral health services.

(b) Within the remaining amounts, sufficient funding is provided for the authority to conduct the actuarial analysis and development of options for payment mechanisms for rate enhancements as directed in section ~~((8 of Engrossed Second Substitute House Bill No. 1134 (988 system)))~~ 9, chapter 454, Laws of 2023 and to implement other activities required by the bill.

~~((c) If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(112))~~ (110) \$26,854,000 of the statewide 988 behavioral health crisis response line account—state appropriation and \$17,636,000 of the general fund—federal appropriation are provided solely for the authority to expand and enhance regional crisis services. These amounts must be used to expand services provided by mobile crisis teams and community-based crisis teams either endorsed or seeking endorsement pursuant to standards adopted by the authority. Beginning in fiscal year 2025, the legislature intends to direct amounts within this subsection to be used for performance payments to mobile rapid response teams and community-based crisis teams that receive endorsements pursuant to Engrossed Second Substitute House Bill No. 1134 (988 system).

~~((113))~~ (111) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to increase resources for behavioral health administrative service organizations and managed care organizations for the increased costs of room and board for behavioral health inpatient and residential services provided in nonhospital facilities.

~~((114) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000)~~ (112) \$6,000,000 of the general fund—state appropriation for fiscal year 2025 ~~((are))~~ is provided

solely for ~~((a contract with a))~~ youth behavioral ~~((inpatient and outpatient program with facilities))~~ health services in Clark and Spokane counties ~~((that serve over 65 percent medicaid eligible clients for co-occurring substance use and mental health disorders and sexual exploitation behavioral health treatment))~~ as follows:

(a) \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a contract with a youth behavioral inpatient and outpatient program which has taken ownership of and submitted a plan to the authority to reopen a facility in Clark county previously closed due to state licensing issues with the former owner. The facility must serve over 60 percent medicaid eligible clients for co-occurring substance use and mental health disorders and sexual exploitation behavioral health treatment. This funding is provided on a one-time basis and must be used ~~((for))~~ consistent with the approved plan and contract for reopening costs, treatment, and services.

(b) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract for behavioral health stabilization and support services for homeless youth in Spokane. The selected contractor must currently provide permanent supportive housing and services in Spokane and operate a low barrier homeless shelter for youth under the age of 18 and young adults aged 18 to 24.

~~((115))~~ (113) \$18,868,000 of the opioid abatement settlement account—state appropriation is provided solely for prevention, treatment, and recovery support services to address and remediate the opioid epidemic. Of these amounts:

(a) \$2,500,000 is provided solely for the authority to provide or contract for opioid prevention, outreach, treatment, or recovery support services that are not reimbursable under the state medicaid plan.

(b) \$500,000 is provided solely for Spanish language opioid prevention services.

(c) \$2,000,000 is provided solely to maintain prevention services that address underage drinking, cannabis and tobacco prevention, and opioid, prescription, and other drug misuse among individuals between the ages of 12 and 25.

(d) \$1,830,000 is provided solely for programs to prevent inappropriate opioid prescribing.

(e) \$538,000 is provided solely for technical support to improve access to medications for opioid use disorder in jails.

(f) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority, in coordination with the department of health, to develop and implement a health promotion and education campaign, with a focus on synthetic drug supplies, including fentanyl, and accurate harm reduction messaging for communities, law enforcement, emergency responders, and others.

(g) \$3,500,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to provide support funds to new and established clubhouses throughout the state.

(h) \$6,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to provide grants for the operational costs of new staffed recovery residences which serve individuals with substance use disorders who require more support than a level 1 recovery residence.

(i) Of the amounts provided in this subsection, the authority may use up to 10 percent for staffing and administrative expenses.

(j) In contracting for programs and services under this subsection, the authority must consider data and implement strategies that prioritize culturally relevant services to community members with the least access to behavioral health services.

~~((116))~~ (114) \$5,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to maintain funding for ongoing grants to law enforcement

assisted diversion programs outside of King county under RCW 71.24.590.

~~((117))~~ (115) \$5,500,000 of the opioid abatement settlement account—state appropriation is provided on a one-time basis solely for the authority to implement a pilot program to reimburse a licensed pediatric transitional care facility in Spokane county to provide neonatal abstinence syndrome services to infants who have prenatal substance exposure. The pilot program must study and evaluate the efficacy, outcomes, and impact of providing these services to avoid more costly medical interventions. Within these amounts, \$190,000 is provided solely for the authority to contract with Washington State University to conduct research analyzing the prevalence of neonatal abstinence syndrome and infant and maternal health outcomes associated with neonatal transitional nurseries in Washington. The university must submit a report articulating findings to the appropriate committees of the legislature by December 1, 2024. The report must identify to what extent the federal medicaid program allows for reimbursement of these services and identify the barriers in leveraging federal medicaid funding for these services in Washington's state medicaid plan.

~~((118))~~ (116) \$15,447,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to pass through to tribes and urban Indian health programs for opioid and overdose response activities. The funding must be used for prevention, outreach, treatment, recovery support services, and other strategies to address and mitigate the effects of the misuse and abuse of opioid related products. The authority must provide the tribes and urban Indian health programs the latitude to use the funding as they see fit to benefit their communities, provided the activities are allowable under the terms of the opioid settlement agreements.

~~((119))~~ (117) \$66,000 of the general fund—state appropriation for fiscal year 2024, \$502,000 of the general fund—state appropriation for fiscal year 2025, and \$171,000 of the general fund—federal appropriation are provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((120))~~ (118) \$190,000 of the general fund—state appropriation for fiscal year 2024, \$354,000 of the general fund—state appropriation for fiscal year 2025, and \$1,106,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5228 (behavioral health OT). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((121))~~ (119) \$3,605,000 of the general fund—state appropriation for fiscal year 2024, \$1,850,000 of the general fund—state appropriation for fiscal year 2025, and \$1,539,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5555 (certified peer specialists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((122))~~ (120) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the city of Arlington in partnership with the north county regional fire authority for a mobile integrated health pilot project. The project shall provide mobile integrated health services for residents who cannot navigate resources through typical methods through brief therapeutic intervention, biopsychosocial assessment and referral, and community care coordination.

~~((123))~~ (121) \$1,000 of the general fund—state appropriation for fiscal year 2024 is for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances).

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~~((124))~~ (122) \$300,000 of the opioid abatement settlement account—state appropriation is provided for support of a statewide safe supply work group. The purpose of the work group is to evaluate potential models for safe supply services and make recommendations on inclusion of a safe supply framework in the Washington state substance use recovery services plan to provide a regulated, tested supply of controlled substances to individuals at risk of drug overdose. The work group membership shall be reflective of the community of individuals living with substance use disorder, including persons who are black, indigenous, and persons of color, persons with co-occurring substance use disorders and mental health conditions, as well as persons who represent the unique needs of rural communities.

(a) The work group membership shall consist of, but is not limited to, members appointed by the governor representing the following:

- (i) At least one adult in recovery from substance use disorder;
- (ii) At least one youth in recovery from substance use disorder;
- (iii) One expert from the addictions, drug, and alcohol institute at the University of Washington;
- (iv) One outreach services provider;
- (v) One substance use disorder treatment provider;
- (vi) One peer recovery services provider;
- (vii) One recovery housing provider;
- (viii) One expert in serving persons with co-occurring substance use disorders and mental health conditions;
- (ix) One expert in antiracism and equity in health care delivery systems;
- (x) One employee who provides substance use disorder treatment or services as a member of a labor union representing workers in the behavioral health field;
- (xi) One representative of the association of Washington healthcare plans;
- (xii) One representative of sheriffs and police chiefs;
- (xiii) One representative of a federally recognized tribe; and
- (xiv) One representative of local government.

(b) The work group's evaluation shall include, but is not limited to, the following:

- (i) Examining the concept of "safe supply," defined as a legal and regulated supply of mind or body altering substances that traditionally only have been accessible through illicit markets;
- (ii) Examining whether there is evidence that a proposed "safe supply" would have an impact on fatal or nonfatal overdose, drug diversion, or associated health and community impacts;
- (iii) Examining whether there is evidence that a proposed "safe supply" would be accompanied by increased risks to individuals, the community, or other entities or jurisdictions;
- (iv) Examining historical evidence regarding the overprescribing of opioids; and
- (v) Examining whether there is evidence that a proposed "safe supply" would be accompanied by any other benefits or consequences.

(c) Staffing for the work group shall be provided by the authority.

(d) The work group shall provide a preliminary report and recommendations to the governor and the appropriate committees of the legislature by December 1, 2023, and shall provide a final report by December 1, 2024.

(123) \$1,450,000 of the general fund—state appropriation for fiscal year 2025 and \$26,000 of the general fund—federal appropriation are provided solely for implementing a postinpatient housing program designed for young adults in accordance with the provisions of Second Substitute House Bill No. 1929 (postinpatient housing). Contracts with postinpatient housing providers are exempt from the competitive procurement

requirements in chapter 39.26 RCW.

(124) Within existing resources, the authority shall collaborate with the department of social and health services to develop a new program for individuals admitted to a state hospital for purposes of civil commitment under RCW 10.77.086. The program must prioritize the use of assisted outpatient treatment resources for eligible individuals and draw upon existing programs, including the program of assertive community treatment and the governor's opportunity for supportive housing program to provide wraparound services for individuals who may be ready to quickly return to the community following an admission.

(125) \$1,675,000 of the opioid abatement settlement account—state appropriation and \$175,000 of the general fund—federal appropriation are provided solely for the authority to contract for the support of an opioid recovery and care access center in Seattle. The contractor must be an established Seattle based behavioral health provider that has developed a partnership for the project and has leveraged additional operations and research funding from other sources. The contract is exempt from the competitive procurement requirements in chapter 39.26 RCW.

(126) \$3,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to increase access to long-acting injectable buprenorphine products.

(a) The authority must use these funds to:

(i) On a one-time basis, provide long-acting injectable buprenorphine products to small providers that are not financially affiliated with a hospital; and

(ii) Cover the cost and administration of the drug for uninsured individuals that do not qualify for other state or federal health insurance programs.

(b) The authority shall study alternative models that will ease access to long-acting injectable buprenorphine products and report recommendations to the office of financial management and the appropriate committees of the legislature by October 15, 2024.

(127) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided on a one-time basis solely for the authority to enhance clinical best practices in addiction medicine across the medical field in Washington state. The authority must contract these amounts with a Washington state chapter of a national organization that provides a physician-led professional community for those who prevent, treat, and promote remission and recovery from the disease of addiction and whose comprehensive set of guidelines for determining placement, continued stay, and transfer or discharge of enrollees with substance use disorders and co-occurring disorders have been incorporated into medicaid managed care contracts. Priority for the activities established must be given to prescribers from a variety of settings including emergency rooms, primary care, and community behavioral health settings. The activities may include other licensed professionals as resources allow. At a minimum, the following activities must be supported: (a) An addiction medicine summit; (b) intermittent lunch and learn webinars that are partially presentation based and partially discussion based; and (c) establishment and operation of a mechanism for case consultation. Whenever feasible and appropriate, the activities should incorporate content specific to managing chronic pain patients.

(128) \$561,000 of the general fund—state appropriation for fiscal year 2025 and \$184,000 of the general fund—federal appropriation are provided solely for the authority to contract for a pilot program offering digital behavioral health services to school-aged youth. The authority must issue a request for interest or a request for proposals and evaluate all qualified responses before selecting a contractor. The authority must track data

related to use and outcomes of the pilot project and submit a report to the office of financial management and the appropriate committees of the legislature that includes a summary of the services provided, outcomes, and recommendations related to continuation or expansion of the pilot program. The data elements and outcomes that must be tracked and reported include, but are not limited to:

(a) The number of youth provided access to the digital service through the pilot program;

(b) The number of pilot participants using the digital service;

(c) The total and average number of hours pilot participants used the digital service;

(d) Regional and demographic data on those provided access to and those using the pilot program services;

(e) The number of participants and hours of direct counseling services provided through the pilot program;

(f) The number of participant referrals to crisis services occurring through the pilot program; and

(g) User satisfaction with the pilot program services.

(129) \$5,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for bridge funding grants to community behavioral health agencies participating in federal certified community behavioral health clinic expansion grant programs to sustain their continued level of operations following expiration of federal grant funding during the planning process for adoption of the certified community behavioral health clinic model statewide.

(130) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$3,502,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to contract for community behavioral health services to be provided at the Olympic heritage behavioral health facility pursuant to the following requirements:

(a) The authority must conduct a survey of provider interest to determine service options for operating up to 40 beds at the Olympic heritage behavioral health facility, with a target opening date of April 1, 2025.

(b) The primary focus must be addressing the needs of adults with a history or likelihood of criminal legal involvement to reduce the number of people with behavioral health or other diagnoses accessing treatment through the criminal legal system.

(c) The survey must seek information from providers, including tribal governments, interested in offering one or more, but not limited to, the following types of services:

(i) Short-term or step down residential behavioral health care, particularly for individuals who may have received treatment or services through crisis stabilization or a 23-hour crisis facility;

(ii) Residential, transitional, or supportive services that would divert individuals from the criminal legal system or emergency departments;

(iii) Substance use or co-occurring treatment, including inpatient or outpatient programming as well as programs designed for the treatment of opioid use disorder; and

(iv) Supportive and residential services for individuals in outpatient competency restoration, subject to assisted outpatient treatment orders, or released on personal recognizance while awaiting competency services.

(d) The authority must provide a summary of the survey results to the office of financial management and the appropriate committees of the legislature.

(e) Based upon a review of the survey results and in consultation with the department of social and health services, the authority must develop and submit a recommendation for approval to the office of financial management for issuing a request for proposals for specific beds to be contracted at the Olympic heritage behavioral health facility.

(f) No later than August 1, 2024, and pursuant to approval from the office of financial management, the authority must release a request for proposals for contracted services at the Olympic heritage behavioral health facility that requires applicants to provide the following information:

(i) A timeline and cost proposal for the operations of selected services;

(ii) An explanation of how the proposal would reduce the number of individuals with behavioral health needs entering the criminal legal system; and

(iii) Additional information as identified by the authority including relevant information identified in the survey of interest.

(g) Of the amounts provided in this subsection, \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the authority to implement the survey under (a) of this subsection and the request for proposals under (f) of this subsection.

(131) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to provide a one-time grant to the city of Maple Valley to support a project for a community resource coordinator position for the city of Maple Valley, Tahoma school district, and the greater Maple Valley area. This amount must be used to develop programs, projects, and training that specifically address behavioral health awareness and education and facilitate access to school-based and community behavioral health resources.

(132) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for establishing grants to crisis services providers to establish and expand 23-hour crisis relief center capacity in accordance with the provisions of section 33, chapter 1, Laws of 2023 sp. sess. (2E2SSB 5536).

(133) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a one-time grant to a nonprofit organization to provide services to medicaid clients and uninsured clients in a crisis stabilization and secure withdrawal management center located in Island county.

(134) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to develop and issue a request for information to identify digital technologies that can be used for supporting youth and young adult behavioral health prevention, intervention, treatment, and recovery support services. In developing the request for information, the authority must convene a panel of experts in adolescent and young adult behavioral health prevention and treatment, suicide prevention and treatment, and digital behavioral health technologies. The panel must be used to evaluate responses to the request for information and make recommendations for technologies to pursue in future agency budget requests. The authority must submit a report to the children and youth behavioral health work group established pursuant to RCW 74.09.4951, the office of financial management, and the appropriate committees of the legislature, by June 30, 2025, identifying the technologies being recommended for implementation and the associated costs for piloting and/or statewide implementation.

(135) \$3,000,000 of the opioid abatement settlement account—state appropriation is provided solely for establishing three additional health engagement hub pilot program sites in accordance with the provisions of chapter 1, Laws of 2023 sp. sess. (2E2SSB 5536). Prior to initiating another request for interest process, the authority must consider acceptable proposed projects from the request for interest survey initiated by the authority and the department of health in October 2023. In selecting proposals, the authority should consider geographic distribution across the state, and prioritize proposals that demonstrate an ability to serve communities disproportionately

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impacted by overdose, health issues, and other harms related to drugs, including American Indian/Alaska Native communities, Black/African American communities, Latino/Hispanic communities, Asian American and Native Hawaiian/Pacific Islander communities, people experiencing homelessness, and communities impacted by the criminal-legal system. When determining the contracts for direct services, priority may be given to BIPOC-led organizations, including Tribes.

(136) \$1,500,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to establish high-intensity community-based teams serving people with opioid use disorder. The funding must be used to significantly increase administration of long-acting injectable buprenorphine to people at highest risk for overdose. The authority must prioritize funding to augment existing field-based teams funded with federal state opioid response grants, such as opioid treatment network, low-barrier buprenorphine, or street medicine teams to enhance low-barrier services in areas with high rates of overdose. Funding must be used to engage people with opioid use disorder in nontraditional settings such as supportive housing, shelters, and encampments to provide low-barrier, immediate, and continual care for people with opioid use disorders to initiate and maintain buprenorphine, with preferential focus on long-acting injectable buprenorphine. The authority must submit a report to the office of financial management and the appropriate committees of the legislature summarizing the implementation of this funding and identifying barriers which impact treatment access for people at high risk for overdose including, but not limited to: (a) State and federal regulations; (b) managed care provider network adequacy; (c) contracting practices between managed care organizations and behavioral health providers, including delegation arrangements with provider networks; (d) reimbursement models and rate adequacy; (e) training and technical assistance needs; and (f) other factors identified by the authority. The report must include recommendations for reducing barriers to medication for opioid use disorder, including long-acting injectable buprenorphine.

(137) \$328,000 of the general fund—state appropriation for fiscal year 2025 and \$328,000 of the general fund—federal appropriation are provided solely for the authority to contract with the University of Washington addictions, drug, and alcohol institute for implementing Second Substitute House Bill No. 2320 (high THC cannabis products). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(138) \$893,000 of the general fund—state appropriation for fiscal year 2025 and \$722,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1877 (behavioral health/tribes). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(139) \$900,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to reimburse King county for the cost of conducting 180-day commitment hearings at state operated facilities operating within King county.

(140) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract with an entity that operates as a recovery resource center in north Kitsap county. This funding is provided on a one-time basis and must be used by the contracting entity to expand service hours, provide recovery café services, and promote peer support and vocational, educational, and drug and alcohol-free social opportunities for the local recovery community.

(141) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Seattle based opioid use disorder treatment provider in Seattle

that experienced a severe flooding event in a clinic in January 2024. This funding is provided on a one-time basis and must be used to allow the clinic to continue to provide services by providing support for the increased per client costs resulting from temporarily delivering services to a smaller volume of clients while services are being re-established at the clinic and by supporting efforts to provide transitional services for clients in other settings while the facility is being restored.

(142) \$900,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to purchase dispensing machines for distribution of the naloxone, fentanyl test strips, and other public health supplies. In selecting a contractor for these machines, the authority must not provide any preference for machines that have the capacity to provide telehealth services.

(143) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the authority to implement a rapid methadone induction pilot program. The pilot program must provide rapid methadone induction services to clients in hospitals electing to provide these services on an inpatient basis. Of these amounts, \$250,000 is provided solely for the authority to contract for technical assistance to the hospitals participating in the pilot. The authority must contract the amounts provided for technical assistance to a Washington state chapter of a national organization that provides a physician-led professional community for those who prevent, treat, and promote remission and recovery from the disease of addiction and whose comprehensive set of guidelines for determining placement, continued stay, and transfer or discharge of enrollees with substance use disorders and co-occurring disorders have been incorporated into Washington state medicaid managed care contracts. The authority must develop procedures for incorporating this service through the apple health program including development of an amendment to the state medicaid plan or waiver if required. The authority must submit a preliminary report to the office of financial management and the appropriate committees of the legislature by June 30, 2025, which provides the status of the pilot project, identifies the mechanism that will be required to implement these services statewide through the apple health program, and provides estimates regarding the cost to implement the program statewide.

(144) \$3,700,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract for five street medicine teams that rapidly assess and address the acute and chronic physical and behavioral health needs of homeless people. The teams must offer integrated, team-based medical, mental health, substance use, and infectious disease treatment and prevention, and navigation and case management services. One of the teams must provide services to people in Seattle and one of the teams must provide services to people in Spokane. The authority must submit a report to the office of financial management and the appropriate committees of the legislature on the implementation of this program with recommendations for maximizing leveraging of federal medicaid match and further expansion of the street medicine model by June 30, 2025. Of the amounts provided in this subsection:

(a) \$1,000,000 is provided solely for a grant to King county;

(b) \$1,000,000 is provided solely for a grant to the city of Spokane;

(c) \$1,000,000 is provided solely for a grant to the city of Tacoma;

(d) \$500,000 is provided solely for a grant to the city of Everett; and

(e) \$200,000 is provided solely for a grant to Kitsap county.

(145)(a) \$480,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a Washington state tribal

opioid and fentanyl response task force with members as provided in this subsection:

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

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

(iii) Each federally recognized Indian tribe in Washington state may appoint one member through tribal resolution;

(iv) The attorney general shall appoint one representative from the office of the attorney general;

(v) The superintendent of public instruction shall appoint one representative from the office of the superintendent of public instruction; and

(vi) The governor shall appoint the following members:

(A) A member of the Seattle Indian health board;

(B) A member of the NATIVE project;

(C) One member of the executive leadership team from each of the following state agencies: The health care authority; the department of children, youth, and families; the department of commerce; the department of corrections; the department of health; the department of social and health services; the governor's office of Indian affairs; and the Washington state patrol;

(D) Two indigenous members that have lived experience related to opioids or fentanyl; and

(E) Two representatives of local governments.

(b) Where feasible, the task force may invite and consult with representatives of:

(i) The federal bureau of investigation;

(ii) The offices of the United States attorneys;

(iii) Federally recognized tribes in a state adjacent to Washington state;

(iv) Tribal organizations with specific expertise including but not limited to tribal sovereignty, jurisdiction, cultural practices, and data; and

(v) Any experts or professionals having expertise in the topics of prevention, treatment, harm reduction, and recovery support related to opioids or fentanyl in federal, tribal, and/or state jurisdiction.

(c)(i) The legislative members must convene the initial meeting of the task force no later than August 1, 2024. Thereafter, the task force shall meet at least quarterly.

(ii) The task force must be cochaired by one legislative member and four tribal leader members selected by members of the task force at the first meeting.

(iii) The task force shall convene one summit in fiscal year 2025 with the state agencies identified in (a)(vi) of this subsection, federally recognized Indian tribes in Washington state, federally recognized tribes located in a state adjacent to Washington state, urban Indian organizations, and tribal organizations.

(d)(i) Of the amounts provided in this subsection, \$295,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract with the American Indian health commission, as defined in RCW 43.71B.010, to provide support for the Washington state tribal opioid and fentanyl response task force, committees, and work groups and to organize the annual summit, and oversee the development of the task force reports. The American Indian health commission may, when deemed necessary by the task force, retain consultants to provide data analysis, research, recommendations, and other services to the task force for the purposes provided in (e) of this subsection. The amounts within this subsection (d)(i) shall be used for the costs of meetings, the annual summit, American Indian health commission staff support, consultants as deemed

necessary, and for stipends pursuant to (d)(v) of this subsection.

(ii) Of the amounts provided in this subsection, \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract with tribes and urban Indian health organizations to provide stipends for participation and attendance at task force and committee meetings.

(iii) Of the amounts provided in this subsection, \$85,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to support the Washington state tribal opioid and fentanyl response task force.

(iv) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Except as provided under (d)(v) of this subsection, any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(v) Subject to the provisions of RCW 43.03.220, eligible task force members may be provided a stipend in an amount not to exceed \$200 and other expenses for each day during which the member attends an official meeting of the task force.

(e)(i) The task force shall review the laws and policies relating to opioid and fentanyl use, illicit sale of opioids and fentanyl, jurisdictional authority, tribal exclusionary authority, and any related impacts affecting American Indian and Alaska Native people. The task force shall develop recommendations including legislative and executive policy changes and budget initiatives for the purpose of addressing priority areas identified at the first annual Washington state tribal opioid and fentanyl summit in May of 2023 in the overarching topic areas of justice; prevention, treatment, and recovery; housing and homelessness; and community and family as well as additional topic areas included in subsequent summits.

(ii) The task force may create subgroups and work with existing state or tribal work groups to develop recommendations to the task force on each of the topics listed in (e)(i) of this subsection.

(iii) The task force, with the assistance of the American Indian health commission and the authority, must submit a status report including any initial findings, recommendations, and progress updates to the governor and the appropriate committees of the legislature by June 30, 2025. The report shall include but is not limited to recommendations related to proposed new statutes or amendment of current statutes, proposed executive branch action items or regulatory changes, and proposed funding and budget requests. To the extent possible, the report may include fiscal analysis related to the cost of implementing specific recommendations.

(146)(a) \$250,000 of the general fund—state appropriation for fiscal year 2025 and \$250,000 of the general fund—federal appropriation are provided solely for the authority to continue work on the behavioral health comparison rate project, including:

(i) Developing phase 3 comparison rates for all major medicaid managed care behavioral health services not addressed in phase 1 or phase 2 of the behavioral health comparison rates project or through other work streams; and

(ii) Preparing to implement a minimum fee schedule for behavioral health services, including developing solutions to resolve any current data and systems limitations.

(b) By December 31, 2024, the authority must provide a preliminary report to the office of financial management and appropriate committees of the legislature that:

(i) Estimates the cost and other impacts to fee for service and managed care programs of establishing a minimum fee schedule effective January 1, 2026, based on the comparison rates developed as part of phase 1 and phase 2 of the behavioral health

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comparison rates project:

(ii) Identifies any data or other limitations that need to be resolved, and plans for addressing those limitations including funding needs if any, to implement the minimum fee schedule by January 1, 2026;

(iii) Provides additional analysis of variation between the comparison rates and current payment levels at a service and regional level;

(iv) Describes how the authority plans to propose to the legislature implementation of the phase 1 and phase 2 minimum fee schedule by January 1, 2026, to better match medicaid payments to the cost of care; and

(v) Outlines options to periodically update the behavioral health fee schedules.

(c) By October 1, 2025, the authority must provide a final report to the office of financial management and appropriate committees of the legislature that:

(i) Summarizes the new comparison rates developed as part of phase 3;

(ii) Updates comparison rates developed in phase 1 and phase 2 for new salary and wage information based on most current bureau of labor statistics data;

(iii) Estimates the cost and other impacts to fee for service and managed care of incorporating additional behavioral health services developed as part of phase 3 of the behavioral health comparison rates project into a minimum fee schedule effective January 1, 2027;

(iv) Identifies planned actions and funding needs if any to resolve any remaining limitations to implement the phase 3 minimum fee schedule by January 1, 2027;

(v) Provides additional analysis of variation between the comparison rates developed as part of phase 3 and current payment levels at a service and regional level; and

(vi) Describes how the authority plans to propose to the legislature implementation of the phase 3 minimum fee schedule by January 1, 2027, to better match medicaid payments to the cost of care.

(d) It is the intent of the legislature to continue funding the study in the 2025-2027 fiscal biennium, with a final report due by October 1, 2025.

(147) \$750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to provide support to behavioral health agencies interested in establishing occupational therapy services for behavioral health clients. This funding must be used for establishing and integrating occupational therapy into behavioral health agency programs and operations. Funding may be used for occupational therapist and occupational therapy assistant services, recruitment, training, technical assistance, fieldwork opportunities, and for other approved activities targeted to increase access to occupational therapy services within behavioral health agency settings. The authority must submit a preliminary report to the legislature on the number of patients receiving occupational therapy through this initiative, the programs in which services were provided, and the number and type of fieldwork students trained in each participating behavioral health agency program by June 30, 2025.

(148)(a) \$39,101,000 of the general fund—state appropriation for fiscal year 2025 and \$33,435,000 of the general fund—federal appropriation are provided solely for the authority to implement supportive supervision and oversight services pursuant to a 1915(i) state plan amendment that is assumed to be effective on July 1, 2024. This reflects a change in purchasing structure and a transition of clients from behavioral health personal care services to the new services established under the 1915(i) state plan amendment. For medicaid clients enrolled in managed care, the

authority must contract for these services through managed care organizations utilizing an actuarially sound rate structure as established by the authority and approved by the centers for medicare and medicaid services. The authority may not implement a skills development and restoration benefit until funding is provided for that specific purpose.

(b) Of the amounts provided in this subsection, \$24,661,000 of the general fund—state appropriation for fiscal year 2025 and \$26,931,000 of the general fund—federal appropriation are for implementing supportive supervision and oversight services in adult family home settings in accordance with and contingent upon execution of the collective bargaining agreement negotiated between the state and the adult family homes and referenced in part IX of this act.

(c) Of the amounts provided in this subsection, \$5,611,000 of the general fund—state appropriation for fiscal year 2025 and \$6,128,000 of the general fund—federal appropriation are for implementing supportive supervision and oversight services in assisted living settings.

(d) Of the amounts provided in this subsection, \$8,453,000 is for managed care organizations to provide reimbursement for the state share of exceptional behavioral health personal care services for individuals who have not transitioned into the new 1915(i) state plan services.

(e) Of the amounts provided in this subsection, \$376,000 of the general fund—state appropriation for fiscal year 2024 and \$376,000 of the general fund—federal appropriation is for administrative costs associated with implementation of the new 1915(i) state plan.

(f) In the event that either the 1915(i) state plan amendment is not approved by the center for medicaid and medicare services or the collective bargaining agreement negotiated between the state and the adult family homes as referenced in part IX of this act is not executed in fiscal year 2025, then from the amounts provided in (a) of this subsection, up to \$23,850,000 of the general fund—state appropriation for fiscal year 2025 may be used for the authority to continue the reimbursement structure for behavioral health personal care services in place during fiscal year 2024.

(g) Within the amounts provided in this subsection, the authority must assure that managed care organizations reimburse the department of social and health services aging and long term support administration for the general fund—state cost of exceptional behavioral health personal care services for medicaid enrolled individuals who require these services because of a psychiatric disability.

(149) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the authority to contract with a nonprofit organization to provide education on innovative care for individuals with mental illnesses. The contracting organization must:

(a) Have experience holding mental health focused summits that bring together provider, advocacy communities, and other stakeholders; and in distributing mental health first aid manuals and online resources for mental health curricula;

(b) Have a mission to (i) create an environment through education to eliminate stigma around mental illness; (ii) help to boost effectiveness of current treatment pathways through proactive care coordination and management; (iii) aid efforts in psychiatric research and innovations; and (iv) identify and elevate systems of excellence; and

(c) Use this funding to support initiatives related to the distribution of mental health curricula and training manuals, and innovation in the identification and treatment of individuals with mental illnesses.

(150) \$282,000 of the general fund—state appropriation for

fiscal year 2025 and \$253,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6251 (behavioral crisis coord.). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(151) \$611,000 of the general fund—state appropriation for fiscal year 2025 and \$462,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(152) \$248,000 of the general fund—state appropriation for fiscal year 2025 and \$213,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5660 (mental health adv directives). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(153) \$330,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5588 (mental health sentencing alt). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(154) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to increase existing contracts for current community prevention and wellness initiative programs across the state.

(155) \$750,000 of the opioid abatement settlement account—state appropriation is provided solely for additional outreach workers to support the expansion of oxford houses.

(156) \$500,000 of the opioid abatement settlement account—state appropriation and \$250,000 of the general fund—federal appropriation are provided solely for support of a tribal fentanyl summit in fiscal years 2024 and 2025.

(157) \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to tribes to implement the Icelandic model of prevention in their communities.

(158) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for a tribal opioid prevention campaign to inform and educate tribal communities about opioid misuse prevention, overdose response, and treatment.

Sec. 216. 2023 c 475 s 216 (uncodified) is amended to read as follows:

FOR THE HUMAN RIGHTS COMMISSION

General Fund—State Appropriation (FY 2024).	(\$4,799,000)
	\$4,948,000
General Fund—State Appropriation (FY 2025).	(\$4,720,000)
	\$5,321,000
General Fund—Federal Appropriation	\$2,975,000
TOTAL APPROPRIATION	(\$12,494,000)
	\$13,244,000

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

(1) \$448,000 of the general fund—state appropriation for fiscal year 2024 and \$420,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for investigative staff to address the commission's caseload backlog.

(2) \$77,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5186 (contracting/discrimination). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

Sec. 217. 2023 c 475 s 217 (uncodified) is amended to read as follows:

FOR THE BOARD OF INDUSTRIAL INSURANCE

APPEALS

Worker and Community Right to Know Fund—State Appropriation	\$10,000
Accident Account—State Appropriation	(\$27,516,000)
	\$27,641,000
Medical Aid Account—State Appropriation ...	(\$27,510,000)
	\$27,635,000
TOTAL APPROPRIATION	(\$55,036,000)
	\$55,286,000

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

(1) \$650,000 of the accident account—state appropriation and \$650,000 of the medical aid account—state appropriation are provided solely for the board of appeals information system modernization project, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(2) \$47,000 of the accident account—state appropriation and \$47,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1521 (industrial insurance/duties). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(3) \$22,000 of the accident account—state appropriation and \$21,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5454 (RN PTSD/industrial insurance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

Sec. 218. 2023 c 475 s 218 (uncodified) is amended to read as follows:

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

General Fund—State Appropriation (FY 2024)	(\$53,805,000)
	\$55,098,000
General Fund—State Appropriation (FY 2025)	(\$50,466,000)
	\$66,092,000
General Fund—Private/Local Appropriation ..	(\$11,970,000)
	\$8,328,000
Death Investigations Account—State Appropriation	\$1,708,000
Municipal Criminal Justice Assistance Account—State Appropriation	\$460,000
Washington Auto Theft Prevention Authority Account—State Appropriation	(\$7,167,000)
	\$10,467,000
Washington Internet Crimes Against Children Account—State Appropriation	\$2,270,000
24/7 Sobriety Account—State Appropriation	\$20,000
TOTAL APPROPRIATION	(\$127,866,000)
	\$144,443,000

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

(1) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided to the Washington association of sheriffs and police chiefs solely to verify the address and residency of registered sex offenders and kidnapping offenders under RCW 9A.44.130.

(2) Funding in this section is sufficient for 75 percent of the costs of providing 23 statewide basic law enforcement trainings in each fiscal year 2024 and fiscal year 2025. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements. The criminal justice training commission must

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track and report the average wait time for students at the beginning of each class and provide the findings in an annual report to the legislature due in December of each year. At least three classes must be held in Spokane each year.

(3) The criminal justice training commission may not run a basic law enforcement academy class of fewer than 30 students.

(4) \$2,270,000 of the Washington internet crimes against children account—state appropriation is provided solely for the implementation of chapter 84, Laws of 2015.

(5) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the mental health field response team program administered by the Washington association of sheriffs and police chiefs. The association must distribute \$7,000,000 in grants to the phase one and phase two regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court-Western District, Cause No. 14-cv-01178-MJP. The association must submit an annual report to the Governor and appropriate committees of the legislature by September 1st of each year of the biennium. The report shall include best practice recommendations on law enforcement and behavioral health field response and include outcome measures on all grants awarded.

(6) \$899,000 of the general fund—state appropriation for fiscal year 2024 and \$899,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for crisis intervention training for the phase one regions as outlined in the settlement agreement under *Trueblood, et. al. v. Department of Social and Health Services, et. al.*, U.S. District Court-Western District, Cause No. 14-cv-01178-MJP.

(7) \$1,598,000 of the death investigations account—state appropriation is provided solely for the commission to provide 240 hours of medicolegal forensic investigation training to coroners and medical examiners to meet the recommendations of the national commission on forensic science for certification and accreditation.

(8) \$346,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of chapter 321, Laws of 2021 (officer duty to intervene).

(9) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional grants to local jurisdictions to investigate instances where a purchase or transfer of a firearm was attempted by an individual who is prohibited from owning or possessing a firearm.

(10) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to provide grant funding to local law enforcement agencies to support law enforcement wellness programs. Of the amount provided in this subsection:

(a) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to provide grants to local law enforcement and corrections agencies for the purpose of establishing officer wellness programs. Grants provided under this subsection may be used for, but not limited to building resilience, injury prevention, peer support programs, physical fitness, proper nutrition, stress management, suicide prevention, and physical or behavioral health services. The commission must consult with a representative from the Washington association of sheriffs and police chiefs and a representative of the Washington state fraternal order of police and the Washington council of police and

sheriffs in the development of the grant program.

(b) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington association of sheriffs and police chiefs to establish and coordinate an online or mobile-based application for any Washington law enforcement officer; 911 operator or dispatcher; and any other current or retired employee of a Washington law enforcement agency, and their families, to anonymously access on-demand wellness techniques, suicide prevention, resilience, physical fitness, nutrition, and other behavioral health and wellness supports.

(11) \$290,000 of the general fund—state appropriation for fiscal year 2024 and \$290,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for academy training for limited authority Washington peace officers employed by the Washington state gambling commission, Washington state liquor and cannabis board, Washington state parks and recreation commission, department of natural resources, and the office of the insurance commissioner.

(a) Up to 30 officers must be admitted to attend the basic law enforcement academy and up to 30 officers must be admitted to attend basic law enforcement equivalency academy.

(b) Allocation of the training slots amongst the agencies must be based on the earliest application date to the commission. Training does not need to commence within six months of employment.

(c) The state agencies must reimburse the commission for the actual cost of training.

(12) (~~(\$6,687,000)~~) \$6,987,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$4,668,000)~~) \$4,968,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to establish and provide basic law enforcement academy classes at three new regional training academies, one in Pasco, one in (~~Skagit~~) Snohomish county, and one in Clark county. Funding in this subsection is sufficient for 75 percent of the costs of providing six classes per year beginning in fiscal year 2024. The criminal justice training commission must schedule its funded classes to minimize wait times throughout each fiscal year and meet statutory wait time requirements. The criminal justice training commission must track and report the average wait time for students at the beginning of each class and provide the findings in an annual report to the legislature due in December of each year. The six classes per year are in addition to the classes in subsection (2) of this section.

(13) (~~(\$150,000)~~) \$120,000 of the general fund—state appropriation for fiscal year 2024 (~~(=)~~) and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to develop plans for increasing training capacity. The planning process should include engagement with limited law enforcement agencies, tribal law enforcement representatives, and local law enforcement agencies and representatives. The criminal justice training commission will provide recommendations to the governor and the appropriate committees of the legislature in a preliminary report due November 15, 2023, and in a final report due September 30, 2024. The reports should include the following:

(a) Identifying the demand for additional basic law enforcement academy courses to support law enforcement agencies and develop a proposal to meet any identified training needs, including basic law enforcement academy and advanced training needs;

(b) A plan for how to provide basic law enforcement academy training to limited law enforcement officers and tribal law

enforcement officers, including providing additional capacity for training classes. The plan should also consider alternatives for distribution of the costs of the training course; and

(c) A plan for providing at least two basic law enforcement training academy classes per year to candidates who are not yet employed with a law enforcement agency. The plan should, at a minimum, include the following:

(i) A recruitment strategy that emphasizes recruitment of diverse candidates from different geographic areas of the state; diverse race, ethnicity, gender, and sexual orientation; and candidates with diverse backgrounds and experiences including nontraditional educational programs or work experience;

(ii) Pathways from training to employment with a law enforcement agency; and

(iii) Plans to address capacity for and delivery of training.

(14) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the criminal justice training commission to provide accreditation incentive awards.

(a) The commission may provide an accreditation incentive award totaling up to \$50,000 to each law enforcement agency that receives an accreditation during the fiscal biennium from a national or state accrediting entity recognized by the commission. The commission must divide award amounts provided pursuant to this section equally among qualifying law enforcement agencies. A law enforcement agency may not receive more than one accreditation incentive award per fiscal biennium. Funds received by a law enforcement agency pursuant to this subsection must be made available to the law enforcement agency to which they are awarded and may not supplant or replace existing funding received by the law enforcement agency.

(b) The commission must submit a report to the legislature by June 30th of each fiscal year during the biennium that lists each law enforcement agency that received an accreditation incentive award during the fiscal year.

(15) \$1,085,000 of the general fund—state appropriation for fiscal year 2024 and \$1,040,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims & witnesses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(16) \$236,000 of the general fund—state appropriation for fiscal year 2024 and \$226,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1132 (limited authority officers). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(17) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for body camera grant funding to local law enforcement agencies.

(a) The Washington association of sheriffs and police chiefs shall develop and implement a body-worn camera grant program. The purpose of the program is to assist law enforcement agencies to establish and expand body-worn camera programs.

(b) Law enforcement agencies may use the grants for: (i) The initial purchase, maintenance, and replacement of body-worn cameras; (ii) ongoing costs related to the maintenance and storage of data recorded by body worn cameras; (iii) costs associated with public records requests for body worn-camera footage; and (iv) hiring of personnel necessary to operate a body-worn camera program.

(c) The Washington association of sheriffs and police chiefs shall develop and implement a grant application process and review applications from agencies based on locally developed

proposals to establish or expand body-worn camera programs.

(d) Law enforcement agencies that are awarded grants must:

(i) Comply with the provisions of chapter 10.109 RCW;

(ii) Demonstrate the ability to redact body-worn camera footage consistent with RCW 42.56.240 and other applicable provisions;

(iii) Provide training to officers who will wear body-worn cameras and other personnel associated with implementation of the body-worn camera program; and

(iv) Agree to comply with any data collection and reporting requirements that are established by the Washington association of sheriffs and police chiefs.

(e) The Washington association of sheriffs and police chiefs must submit an annual report regarding the grant program to the governor and appropriate committees of the legislature by December 1st of each year the program is funded. The report must be submitted in compliance with RCW 43.01.036.

(18) \$381,000 of the general fund—state appropriation for fiscal year 2024 and \$628,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) \$280,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for confidential secretary staff for the training bureau director and the accountability bureau director.

(20) \$694,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 5780 (public defense & prosecution) to contract out trial skills training for practitioners who are new to prosecution and to administer a law student rural prosecution program. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(21) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to provide training to the Okanogan county sheriff's office. The commission must coordinate with the sheriff's office to provide the training on a date or dates least likely to interrupt the operations of the sheriff's office and the training must take place virtually or at a suitable agreed upon location. The training must, at a minimum, include best practices for victim centered, trauma-informed policing practices, trauma-informed investigation and interviewing skills, understanding the lethality potentials of stalking, best practices in serving and enforcing protection orders, investigation of potential violations of protection orders, and assistance to and services for victims and children. The commission is encouraged to utilize existing relevant training materials assembled pursuant to RCW 10.99.033, RCW 43.101.276, and other evidence-based resources as deemed appropriate by the commission. The commission may not insinuate or otherwise communicate that the training is mandatory for any employee of the sheriff's office, but the commission must keep a detailed attendance and participation record for each employee of the sheriff's office who attends. The amounts provided in this subsection, not required for use by the commission to conduct the training listed above, must be made available to reimburse the sheriff's office for any reasonable and necessary overtime costs associated with participating in the training.

(22) \$2,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to support the law enforcement assisted diversion program for drug possession and public use in Seattle. These funds must supplement, not supplant, current levels of local funding in the city of Seattle budget.

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(23) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of House Bill No. 1635 (police dogs/liability) for the commission to develop model standards for the training and certification of canine teams to detect fentanyl. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(24) \$1,384,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2311 (first responder wellness) for the commission to convene a task force on first responder wellness and to contract with various entities to develop trainings. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(25) \$484,000 of the general fund—state appropriation for fiscal year 2024, \$3,187,000 of the general fund—state appropriation for fiscal year 2025, and \$1,169,000 of the general fund—private/local appropriation are provided solely for the commission to conduct additional corrections officer academy classes. These classes may be conducted at the corrections officer academy in Burien or at a regional corrections officer academy established by the commission.

(26) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the commission to complete a study on establishing a regional basic law enforcement academy or a regional corrections officer academy, or both, on the Kitsap peninsula. At a minimum, the study must estimate the costs and identify a possible timeline for establishing one or both academies. A report providing recommendations is due to the governor and the appropriate policy and fiscal committees of the legislature by June 30, 2025.

Sec. 219. 2023 c 475 s 219 (uncodified) is amended to read as follows:

FOR THE OFFICE OF INDEPENDENT INVESTIGATIONS

General Fund—State Appropriation (FY 2024)	(((\$17,037,000))
	<u>\$17,014,000</u>
General Fund—State Appropriation (FY 2025)	(((\$17,211,000))
	<u>\$20,196,000</u>
TOTAL APPROPRIATION	(((\$34,248,000))
	<u>\$37,210,000</u>

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

(1) \$9,383,000 of the general fund—state appropriation for fiscal year 2024 and \$9,383,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for dedicated staffing at regional offices to include at least regional investigator supervisors, investigators, forensic investigators, family liaisons, and evidence technicians.

(2) \$1,124,000 of the general fund—state appropriation for fiscal year 2024 and \$1,124,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with the Washington state patrol for laboratory-based testing and processing of crime scene evidence collected during investigations.

(3) \$251,000 of the general fund—state appropriation for fiscal year 2024 and \$251,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracted specialized training for investigators relating to death investigations in cases involving deadly force.

(4) \$2,257,000 of the general fund—state appropriation for fiscal year 2024 and \$2,057,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for training development, additional staff training costs, crime lab processing,

and contract services to include polygraphs, background checks, personnel evaluations, contracted security, and software licensing.

(5) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to pay for one-time tenant improvements necessary for a central evidence storage facility and regional offices.

Sec. 220. 2023 c 475 s 220 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund—State Appropriation (FY 2024)	(((\$15,789,000))
	<u>\$17,526,000</u>
General Fund—State Appropriation (FY 2025)	(((\$19,773,000))
	<u>\$25,305,000</u>
General Fund—Federal Appropriation	(((\$11,470,000))
	<u>\$11,521,000</u>
Asbestos Account—State Appropriation	(((\$629,000))
	<u>\$628,000</u>
Electrical License Account—State Appropriation	(((\$71,526,000))
	<u>\$74,072,000</u>
Farm Labor Contractor Account—State Appropriation	\$28,000
Opioid Abatement Settlement Account—State Appropriation	\$250,000
Worker and Community Right to Know Fund—State Appropriation	\$1,138,000
Construction Registration Inspection Account—State Appropriation	(((\$30,754,000))
	<u>\$31,418,000</u>
Public Works Administration Account—State Appropriation	(((\$18,304,000))
	<u>\$18,011,000</u>
Manufactured Home Installation Training Account—State Appropriation	(((\$455,000))
	<u>\$454,000</u>
Accident Account—State Appropriation	(((\$427,767,000))
	<u>\$437,590,000</u>
Accident Account—Federal Appropriation	(((\$15,823,000))
	<u>\$19,953,000</u>
Medical Aid Account—State Appropriation	(((\$414,710,000))
	<u>\$421,049,000</u>
Medical Aid Account—Federal Appropriation	(((\$3,571,000))
	<u>\$3,920,000</u>
Plumbing Certificate Account—State Appropriation	(((\$3,624,000))
	<u>\$3,649,000</u>
Pressure Systems Safety Account—State Appropriation	(((\$5,065,000))
	<u>\$5,116,000</u>
Workforce Education Investment Account—State Appropriation	(((\$14,200,000))
	<u>\$20,500,000</u>
TOTAL APPROPRIATION	(((\$1,054,876,000))
	<u>\$1,092,128,000</u>

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

(1) (((\$4,714,000)) \$6,756,000 of the accident account—state appropriation and (((\$4,711,000)) \$6,753,000 of the medical aid account—state appropriation are provided solely for the labor and industries workers' compensation information system replacement project and is subject to the conditions, limitations,

and review provided in section 701 of this act. The department must:

(a) Submit quarterly data within 30 calendar days of the end of each quarter, effective July 1, 2023, on:

(i) The quantifiable deliverables accomplished and the amount spent by each deliverable in each of the following subprojects:

- (A) Business readiness;
- (B) Change readiness;
- (C) Commercial off the shelf procurement;
- (D) Customer access;
- (E) Program foundations;
- (F) Independent assessment; and
- (G) In total by fiscal year;

(ii) All of the quantifiable deliverables accomplished by subprojects identified in (a)(i)(A) through (F) of this subsection and in total and the associated expenditures by each deliverable by fiscal month;

(iii) The contract full time equivalent charged by subprojects identified in (a)(i)(A) through (F) of this subsection, and in total, compared to the budget spending plan by month for each contracted vendor and what the ensuing contract equivalent budget spending plan by subprojects identified in (a)(i)(A) through (F) of this subsection, and in total, assumes by fiscal month;

(iv) The performance metrics by subprojects identified in (a)(i)(A) through (F) of this subsection, and in total, that are currently used, including monthly performance data; and

(v) The risks identified independently by at least the quality assurance vendor and the office of the chief information officer, and how the project:

(A) Has mitigated each risk; and

(B) Is working to mitigate each risk, and when it will be mitigated;

(b) Submit the report in (a) of this subsection to fiscal and policy committees of the legislature; and

(c) Receive an additional gated project sign off by the office of financial management, effective September 1, 2023. Prior to spending any project funding in this subsection each quarter, there is an additional gate of approval required for this project. The director of financial management must agree that the project shows accountability, effective and appropriate use of the funding, and that risks are being mitigated to the spending and sign off on the spending for the ensuing quarter.

(2) \$250,000 of the medical aid account—state appropriation and \$250,000 of the accident account—state appropriation are provided solely for the department of labor and industries safety and health assessment and research for prevention program to conduct research to address the high injury rates of the janitorial workforce. The research must quantify the physical demands of common janitorial work tasks and assess the safety and health needs of janitorial workers. The research must also identify potential risk factors associated with increased risk of injury in the janitorial workforce and measure workload based on the strain janitorial work tasks place on janitors' bodies. The department must conduct interviews with janitors and their employers to collect information on risk factors, identify the tools, technologies, and methodologies used to complete work, and understand the safety culture and climate of the industry. The department must produce annual progress reports through the year 2025 or until the tools are fully developed and deployed. The annual progress report must be submitted to the governor and legislature by December 1st of each year such report is due.

(3) \$258,000 of the accident account—state appropriation and \$258,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries safety and health assessment research for prevention program to conduct

research to prevent the types of work-related injuries that require immediate hospitalization. The department will develop and maintain a tracking system to identify and respond to all immediate in-patient hospitalizations and will examine incidents in defined high-priority areas, as determined from historical data and public priorities. The research must identify and characterize hazardous situations and contributing factors using epidemiological, safety-engineering, and human factors/ergonomics methods. The research must also identify common factors in certain types of workplace injuries that lead to hospitalization. The department must submit a report to the governor and appropriate legislative committees by August 30, 2023, and annually thereafter, summarizing work-related immediate hospitalizations and prevention opportunities, actions that employers and workers can take to make workplaces safer, and ways to avoid severe injuries.

(4)(a) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to promote workforce development in aerospace and aerospace related supply chain industries by: Expanding the number of registered apprenticeships, preapprenticeships, and aerospace-related programs; and providing support for registered apprenticeships or programs in aerospace and aerospace-related supply chain industries.

(b) Grants awarded under this section may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training space and lab locations to support capacity needs and expansion of training to veterans and veteran spouses, and underserved populations;

(iii) Curriculum development and instructor training for industry experts;

(iv) Tuition assistance for degrees in engineering and high-demand degrees that support the aerospace industry; and

(v) Funding to increase capacity and availability of child care options for shift work schedules.

(c) An entity is eligible to receive a grant under this subsection if it is a nonprofit, nongovernmental, or institution of higher education that provides training opportunities, including apprenticeships, preapprenticeships, preemployment training, aerospace-related degree programs, or incumbent worker training to prepare workers for the aerospace and aerospace-related supply chain industries.

(d) The department may use up to 5 percent of these funds for administration of these grants.

(5) \$3,774,000 of the accident account—state appropriation and \$890,000 of the medical aid account—state appropriation are provided solely for the creation of an agriculture compliance unit within the division of occupational safety and health. The compliance unit will perform compliance inspections and provide bilingual outreach to agricultural workers and employers.

(6) \$1,642,000 of the medical aid account—state appropriation is provided solely to cover the overhead rent costs to increase the number of labor and industry vocational specialists embedded in WorkSource offices and to implement a comprehensive quality-assurance team to ensure the continuous improvement of vocational services for injured workers through the workers' compensation program.

(7) \$1,798,000 of the public works administration account—state appropriation is provided solely to maintain expanded capacity to investigate and enforce prevailing-wage complaints.

(8) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the crime victims' compensation program to pay for medical exams

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for suspected victims of domestic violence. Neither the hospital, medical facility, nor victim is to pay for the cost of the medical exam. This funding must not supplant existing funding for sexual assault medical exams. If the cost of medical exams exceeds the funding provided in this subsection, the program shall not reduce the reimbursement rates for medical providers seeking reimbursement for other claimants, and instead the program shall return to paying for domestic violence medical exams after insurance.

(9) (~~(\$1,065,000)~~) (a) \$1,209,000 of the construction registration inspection account—state appropriation, (~~(\$57,000)~~) \$66,000 of the accident account—state appropriation, and (~~(\$12,000)~~) \$14,000 of the medical aid account—state appropriation are provided solely for the conveyance management system replacement project and are subject to the conditions, limitations, and review provided in section 701 of this act.

(b) \$270,000 of the construction registration inspection account—state appropriation, \$17,000 of the accident account—state appropriation, and \$3,000 of the medical aid account—state appropriation are provided solely for the maintenance and operations of the conveyance management system replacement project.

(10) \$250,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to analyze patients who are maintained on chronic opioids. The department must submit an annual report of its findings to the governor and the appropriate committees of the legislature no later than October 1st of each year of the fiscal biennium. The report shall include analysis of patient data, describing the characteristics of patients who are maintained on chronic opioids and their clinical needs, and a preliminary evaluation of potential interventions to improve care and reduce harms in this population.

(11) \$1,363,000 of the medical aid account—state appropriation is provided solely to improve access to medical and vocational providers of the workers' compensation program by expanding the use of navigators to recruit and assist providers in underserved communities and by ensuring access to high quality and reliable interpreter services.

(12) \$3,000,000 of the workforce education investment account—state appropriation, \$1,870,000 of the accident account—state appropriation, and \$330,000 of the medical aid account—state appropriation are provided solely for the department, in coordination with the Washington state apprenticeship council, to administer grants to continue the growth of behavioral health apprenticeship programs. Grants may be awarded for provider implementation costs, apprentice tuition and stipend costs, curriculum development, and program administration. Grant awardees must use a minimum of one-half of amounts provided to compensate behavioral health providers for employer implementation costs including mentor wage differentials, related instruction wages, and administrative costs. In awarding this funding, special preference must be given to entities with experience in implementation of behavioral health sector apprenticeships and labor-management partnerships. By June 30, 2024, and June 30, 2025, grantees must report to the department on the number of individuals that were recruited and upskilled in the preceding fiscal year. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(13) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for the department, in coordination with the Washington state apprenticeship training council, to administer grants to address the behavioral health workforce shortage through behavioral

health preapprenticeship and behavioral health entry level training, including nursing assistant certified programs. Grants may cover program costs including, but not limited to, provider implementation costs, apprentice tuition and stipend costs, curriculum development, and program administration. In awarding this funding, special preference must be given to entities with experience in implementation of behavioral health sector apprenticeships and labor-management partnerships. By June 30, 2024, and June 30, 2025, grantees must report to the department on the number of individuals that were recruited and upskilled in the preceding fiscal year. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(14)(a) \$300,000 of the workforce education investment account—state appropriation is provided solely for certified construction trade preapprenticeship programs that use a nationally approved multicraft curriculum and emphasize construction math, tool use, job safety, equipment, life skills, and financial literacy. The preapprenticeship programs should focus on disadvantaged, nontraditional, and underrepresented populations, and on populations reentering the community from incarceration and homelessness. Funding provided in this subsection may be used to:

(i) Provide incentives for participation in preapprenticeship programs, such as covering program costs, providing stipends to preapprentices, or covering the costs of construction tools; or

(ii) Address barriers for participation in preapprenticeship programs, such as covering costs of child care or transportation, or facilitating interviews for apprenticeship programs.

(b) The department may use up to five percent of the amount provided in (a) of this subsection for administration of these grants.

(15)(a) \$400,000 of the workforce education investment account—state appropriation is provided solely for grants to nonprofit organizations to:

(i) Expand meatcutter registered apprenticeship and preapprenticeship programs to new locations; or

(ii) Develop a new fishmonger registered apprenticeship program.

(b) Grants awarded under this subsection may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training space and lab locations to support the expansion and establishment of apprenticeship and preapprenticeship training in new locations;

(iii) Curriculum development, including the creation of elearning content, and instructor training for apprenticeship and preapprenticeship instructors;

(iv) Tuition assistance for apprentices in registered apprenticeship programs accredited by a community or technical college;

(v) Stipends for preapprentices; and

(vi) Apprenticeship and preapprenticeship coordination and administration services.

(c) An entity is eligible to receive a grant under this subsection if it is a nonprofit organization that administers or directly provides apprenticeship and preapprenticeship training opportunities, overseen by a committee with at least one labor union and one employer representative or with an active program with participation of both labor union and employer partners, for retail meatcutters and/or fishmongers.

(d) The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(16) (~~(\$6,000,000)~~) \$12,000,000 of the workforce education investment account—state appropriation is provided solely for

the department to distribute funding to multiemployer nonprofit programs providing apprenticeship education and job training for general journey level (01) electricians to increase funding for related supplemental instruction costs. Funding shall be allocated to programs by formula based on delivered related supplemental instruction hours for active apprentices under chapter 49.04 RCW and operating in compliance for administrative procedures. If a program is partnered with a Washington community or technical college to deliver the related supplemental instruction, the program may apply for up to a 25 percent increase in allocated funding based on the level of contracted support provided by the college. The department may use up to five percent of the amount provided in this subsection for administration of these grants.

(17) (~~(\$1,249,000)~~) \$873,000 of the accident account—state appropriation and (~~(\$507,000)~~) \$883,000 of the medical aid account—state appropriation are provided solely for the creation of the center for work equity research. The center will study and systematically address employer and employment factors that place historically marginalized workers at increased risk for work-related injuries and illnesses and social and economic hardship.

(18) \$2,908,000 of the public works administration account—state appropriation is provided solely for system improvements to the prevailing wage program information technology system. This project is subject to the conditions, limitations, and review provided in section 701 of this act.

(19) \$205,000 of the general fund—state appropriation for fiscal year 2024 and \$205,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue conducting a four-year retention study of state registered apprentices as provided in chapter 156, Laws of 2022 (apprenticeship programs). The study shall include the collection of data from all apprentices three months into their apprenticeship to understand challenges and barriers they face towards program participation. The aggregate data by trade must be displayed on a publicly available dashboard. Study data must be provided with apprenticeship coordinators to implement an early response to connect apprentices with needed supports. The department shall submit an annual report to the governor and appropriate legislative committees on June 30, 2024 and June 30, 2025.

(20) \$3,500,000 of the workforce education investment account—state appropriation is provided solely to administer a grant program intended to provide wraparound support services to mitigate barriers to beginning or participating in apprenticeship programs as described in chapter 156, Laws of 2022. Up to five percent of the total funding provided in this subsection may be used to cover administrative expenses.

(21) (~~(\$1,963,000)~~) \$1,798,000 of the accident account—state appropriation and (~~(\$797,000)~~) \$960,000 of the medical aid account—state appropriation are provided solely to expand access to worker rights and safety information for workers with limited English proficiency (LEP) through outreach and translation of safety-related information, training, and other materials. \$1,000,000 of the amount provided in this subsection is provided solely for grants to community-based organizations to provide workplace rights and safety outreach to underserved workers.

(22) \$857,000 of the accident account—state appropriation and \$855,000 of the medical aid account—state appropriation are provided solely for enhancements to the workers' compensation training modules to include strategies on reducing long-term disability among claimants.

(23) \$6,702,000 from the electrical license account—state appropriation is provided solely for an additional wage increase for all positions within the electrical construction inspector, electrical construction inspector lead, electrical inspection field

supervisor/technical specialist, and electrical plans examiner job class series consistent with the July 1, 2023, range differentials, subject to an agreement between the state and the exclusive collective bargaining representative of the electrical construction inspectors.

(24) \$165,000 of the general fund—state appropriation for fiscal year 2024 and \$165,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to an organization in Pierce county experienced in providing peer-to-peer training to continue implementation of a program aimed at reducing workplace sexual harassment in the agricultural sector. The department may use up to five percent of the amount provided in this subsection for administration of this grant. The organization receiving the grant must:

(a) Continue peer-to-peer trainings for farmworkers in Yakima county and expand to provide peer-to-peer trainings for farmworkers in Grant and Benton counties;

(b) Support an established network of peer trainings as farmworker leaders, whose primary purpose is to prevent workplace sexual harassment and assault through leadership, education, and other tools; and

(c) Share best practices from the peer-to-peer model at a statewide conference for farmworkers, industry representatives, and advocates.

(25) \$250,000 of the accident account—state appropriation and \$278,000 of the medical aid account—state appropriation is provided solely for implementation of House Bill No. 1197 (workers' comp. providers). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(26) (~~(\$1,645,000)~~) \$1,088,000 of the public works administration account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1050 (apprenticeship utilization). (~~(If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~)

(27) (~~(\$365,000)~~) \$318,000 of the accident account—state appropriation and (~~(\$64,000)~~) \$56,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1217 (wage complaints). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(28) \$105,000 of the accident account—state appropriation and \$19,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1323 (fire-resistant materials). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(29) \$239,000 of the accident account—state appropriation and \$239,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1521 (industrial insurance/duties). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(30) \$256,000 of the construction registration inspection account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1534 (construction consumers). (~~(If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~)

(31) \$1,311,000 of the accident account—state appropriation and \$243,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1762 (warehouse employees). (~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~)

(32) \$431,000 of the accident account—state appropriation and \$76,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs). (~~(If the bill is not~~

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~~enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~

(33) \$560,000 of the public works administration account—state appropriation is provided solely to update computer applications for implementation of Senate Bill No. 5088 (contractor registration). This project is subject to the conditions, limitations, and review provided in section 701 of this act. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(34) \$84,000 of the accident account—state appropriation and \$84,000 of the medical aid account—state appropriation are provided solely for implementation of Senate Bill No. 5084 (self-insured pensions/fund). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(35) \$226,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5070 (nonfatal strangulation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(36) \$216,000 of the accident account—state appropriation and \$37,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5156 (farm internship program). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(37) \$1,470,000 of the accident account—state appropriation and \$260,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5217 (musculoskeletal injuries/L&I). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(38) \$354,000 of the public works administration account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(39) \$234,000 of the accident account—state appropriation and \$41,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(40) \$230,000 of the accident account—state appropriation and \$41,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5111 (sick leave/construction). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(41) \$4,663,000 of the accident account—state appropriation and \$884,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(42) ~~(\$333,000)~~ \$367,000 of the accident account—state appropriation and ~~(\$333,000)~~ \$369,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute Senate Bill No. 5454 (RN PTSD/industrial insurance). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(43) \$1,906,000 of the electrical license account—state appropriation is provided solely for electrical inspector staffing to expand capacity to conduct electrical inspections, effective July 1, 2024.

(44) \$200,000 of the accident account—state appropriation and

\$200,000 of the medical aid account—state appropriation are provided solely for the department of labor and industries to contract with a third-party vendor to produce a study that assesses post-traumatic stress disorder related workers' compensation policies and claims in Washington and other states. The intent of the study is to inform the department on policy and best practices that improve worker outcomes for law enforcement officers, firefighters, and nurses. The department shall submit a report describing the outcomes, best practices, and recommendations to the governor and appropriate legislative committees by June 30, 2025.

(45) \$240,000 of the workforce education investment account—state appropriation is provided solely for a grant to a statewide-serving nonprofit organization providing support services to apprentices and preapprentices for the provision of new work boots and other resources to state recognized apprenticeship preparation participants in correctional facilities and as they transition from incarceration to state registered apprenticeship programs. The work boots and other resources must be within allowable guidelines for incarcerated and community supervised individuals. The department may use up to five percent of the amount provided in this subsection for administration of this grant.

(46) \$300,000 of the surgical smoke evacuation nonappropriated account—state appropriation is provided solely to implement the reimbursement requirements established in chapter 129, Laws of 2022.

(47) \$60,000 of the workforce education investment account—state appropriation is provided solely for costs for instructors for the preapprenticeship construction programs pursuant to subsection (14) of this section.

(48) \$175,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with the municipal research and services center to conduct a public works study. The study shall evaluate the application of public works requirements, including prevailing wage and apprentice utilization, on publicly funded construction, including those supported in part or in whole with state funds, the granting or loaning of public dollars, and tax deferrals or reimbursements. The department may use up to five percent of these funds for administration. A report to the relevant committees of the legislature shall be submitted by June 30, 2025.

(49) \$100,000 of the medical aid account—state appropriation and \$100,000 of the accident account—state appropriation are provided solely for the staffing of a resolution process for complaints regarding light duty work under Title 51 RCW. The department shall submit a report to the appropriate committees of the legislature by June 30, 2025, on outcomes related to this funding and data regarding light duty resolution processes provided in this subsection.

(50) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to survey registered apprenticeship programs and assimilate data that documents the fee structure and contractual elements of partnerships between the various registered apprenticeship programs and community and technical college system. This information will be used to inform a report and recommendations to the legislature on registered apprenticeship funding and how this funding is directed to community and technical colleges. The department shall submit a report to the legislature summarizing the survey findings by November 15, 2024.

(51) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department of labor and industries to convene and to staff the underground economy task force created in section 906 of this act.

(52) \$479,000 of the accident account—state appropriation and \$102,000 of the medical aid account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5793 (paid sick leave). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(53) \$8,000 of the plumbing certificate account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5997 (plumbing hours reporting). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(54) \$477,000 of the accident account—state appropriation and \$84,000 of the medical account—state appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 6105 (adult entertainment workers). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(55) \$44,000 of the general fund—state appropriation for fiscal year 2024 and \$139,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 6069 (retirement savings). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(56) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$471,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5937 (crime victims/witnesses). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(57) \$50,000 from the electrical license account—state appropriation is provided solely for the department to work with the association of Washington cities and associated stakeholders having an interest in the installation and maintenance of electric security alarm systems to identify appropriate pathways to streamline the permitting process and any other recommendations in order to facilitate the installation of these systems in this state. The department shall submit a report to the appropriate committees of the legislature with its findings and recommendations, in accordance with RCW 43.01.036, by December 15, 2024.

(58) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for increasing access to manufacturing apprenticeships.

(59) \$665,000 of the accident account—state appropriation and \$118,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 1905 (equal pay/protected classes). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(60) \$202,000 of the accident account—state appropriation and \$202,000 of the medical aid account—state appropriation are provided solely for implementation of House Bill No. 1927 (temporary total disability). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(61) \$1,933,000 of the accident account—state appropriation and \$294,000 of the medical aid account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 2022 (construction crane safety). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(62) \$219,000 of the accident account—state appropriation and \$38,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 2061 (health employees/overtime). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(63) \$226,000 of the accident account—state appropriation and \$76,000 of the medical aid account—state appropriation are provided solely for implementation of Substitute House Bill No. 2097 (worker wage recovery). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(64) \$226,000 of the public works administration account—state appropriation is provided solely for implementation of Substitute House Bill No. 2136 (prevailing wage sanctions). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 221. 2023 c 475 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

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

(a) The department of veterans affairs shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys that are unrelated to the coronavirus response and not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys that are unrelated to the coronavirus response, those moneys must be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(b) Each year, there is fluctuation in the revenue collected to support the operation of the state veteran homes. When the department has foreknowledge that revenue will decrease, such as from a loss of census or from the elimination of a program, the legislature expects the department to make reasonable efforts to reduce expenditures in a commensurate manner and to demonstrate that it has made such efforts. In response to any request by the department for general fund—state appropriation to backfill a loss of revenue, the legislature shall consider the department's efforts in reducing its expenditures in light of known or anticipated decreases to revenues.

(2) HEADQUARTERS

General Fund—State Appropriation (FY 2024)	((\$4,932,000))
	\$5,029,000
General Fund—State Appropriation (FY 2025)	((\$4,978,000))
	\$5,324,000
Charitable, Educational, Penal, and Reformatory Institutions Account—State Appropriation	\$10,000
TOTAL APPROPRIATION	((\$9,920,000))
	\$10,363,000

(3) FIELD SERVICES

General Fund—State Appropriation (FY 2024)	((\$10,998,000))
	\$11,113,000
General Fund—State Appropriation (FY 2025)	((\$10,860,000))
	\$12,007,000
General Fund—Federal Appropriation.....	((\$10,323,000))
	\$10,328,000
General Fund—Private/Local Appropriation	((\$6,538,000))
	\$6,542,000
Veteran Estate Management Account—Private/Local	

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Appropriation.....	(\$717,000)
	<u>\$718,000</u>
TOTAL APPROPRIATION.....	(\$39,436,000)
	<u>\$40,708,000</u>

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

(a) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$1,200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5358 (veterans' services). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)) Of the amounts provided in this subsection:

(i) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one veterans service officer each in Island county, Walla Walla county, Clallam county, and Stevens county.

(b) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with an organization located in Thurston county that has experience in the delivery of no-cost equine therapy for military veterans and active members of the military.

(c) \$138,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5268 (public works procurement). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

(d) \$566,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2014 (definition of veteran). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(4) STATE VETERANS HOMES PROGRAM

General Fund—State Appropriation (FY 2024)	(\$25,818,000)
	<u>\$26,775,000</u>
General Fund—State Appropriation (FY 2025)	(\$20,386,000)
	<u>\$19,507,000</u>
General Fund—Federal Appropriation.....	(\$127,227,000)
	<u>\$136,196,000</u>
General Fund—Private/Local Appropriation...	(\$17,330,000)
	<u>\$11,982,000</u>
TOTAL APPROPRIATION.....	(\$190,761,000)
	<u>\$194,460,000</u>

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

(a) If the department receives additional unanticipated federal resources that are unrelated to the coronavirus response at any point during the remainder of the 2023-2025 fiscal biennium, an equal amount of general fund—state must be placed in unallotted status so as not to exceed the total appropriation level specified in this subsection. The department may submit as part of the policy level budget submittal documentation required by RCW 43.88.030 a request to maintain the general fund—state resources that were unallotted as required by this subsection.

(b) Appropriations have been adjusted in this section to reflect anticipated changes in state, federal, and local resources as a result of census changes. The department shall incorporate these adjustments in the governor's projected maintenance level budget required in RCW 43.88.030.

(5) CEMETERY SERVICES

General Fund—State Appropriation (FY 2024)	\$167,000
General Fund—State Appropriation (FY 2025)	\$169,000
General Fund—Federal Appropriation.....	\$1,055,000
TOTAL APPROPRIATION	\$1,391,000

Sec. 222. 2023 c 475 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF HEALTH

General Fund—State Appropriation (FY 2024)	(\$168,127,000)
	<u>\$190,116,000</u>
General Fund—State Appropriation (FY 2025)	(\$148,005,000)
	<u>\$184,729,000</u>
General Fund—Federal Appropriation.....	(\$589,208,000)
	<u>\$589,612,000</u>
General Fund—Private/Local Appropriation ((	(\$174,244,000)
	<u>\$189,255,000</u>
Dedicated Cannabis Account—State Appropriation (FY 2024).....	\$11,863,000
Dedicated Cannabis Account—State Appropriation (FY 2025).....	(\$12,356,000)
	<u>\$12,368,000</u>
Climate Commitment Account—State Appropriation	(\$89,552,000)
	<u>\$91,000,000</u>
Climate Investment Account—State Appropriation..	\$902,000
Foundational Public Health Services Account—State Appropriation	\$23,066,000
Hospital Data Collection Account—State Appropriation	\$592,000
Health Professions Account—State Appropriation	(\$192,069,000)
	<u>\$197,115,000</u>
Aquatic Lands Enhancement Account—State Appropriation	\$642,000
Emergency Medical Services and Trauma Care Systems Trust Account—State Appropriation.....	\$10,175,000
Medicaid Fraud Penalty Account—State Appropriation	\$3,027,000
Natural Climate Solutions Account—State Appropriation	\$72,000
(Public Health Supplemental Account—State Appropriation	\$293,000)
Safe Drinking Water Account—State Appropriation	(\$8,946,000)
	<u>\$8,964,000</u>
Drinking Water Assistance Account—Federal Appropriation	(\$25,867,000)
	<u>\$25,901,000</u>
Waterworks Operator Certification Account—State Appropriation	\$2,089,000
Drinking Water Assistance Administrative Account—State Appropriation	(\$2,480,000)
	<u>\$2,479,000</u>
Site Closure Account—State Appropriation	\$197,000
Biotoxin Account—State Appropriation	(\$1,773,000)
	<u>\$1,772,000</u>
Model Toxics Control Operating Account—State Appropriation	(\$8,953,000)
	<u>\$10,382,000</u>
Medical Test Site Licensure Account—State Appropriation	(\$5,239,000)
	<u>\$5,238,000</u>
Secure Drug Take-Back Program Account—State Appropriation	\$1,474,000

Youth Tobacco and Vapor Products Prevention Account— State Appropriation.....	((<u>\$3,273,000</u>)) <u>\$3,272,000</u>
Public Health Supplemental Account—Private/Local Appropriation.....	((<u>\$3,824,000</u>)) <u>\$4,117,000</u>
Accident Account—State Appropriation	((<u>\$388,000</u>)) <u>\$387,000</u>
Medical Aid Account—State Appropriation	\$58,000
Statewide 988 Behavioral Health Crisis Response Line Account—State Appropriation	((<u>\$42,865,000</u>)) <u>\$55,066,000</u>
Coronavirus State Fiscal Recovery Fund—Federal Appropriation.....	((<u>\$27,022,000</u>)) <u>\$3,222,000</u>
Opioid Abatement Settlement Account—State Appropriation.....	((<u>\$7,400,000</u>)) <u>\$19,785,000</u>
TOTAL APPROPRIATION.....	((<u>\$1,566,041,000</u>)) <u>\$1,648,937,000</u>

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

(1) The department of health shall not initiate any services that will require expenditure of state general fund moneys unless expressly authorized in this act or other law. The department of health and the state board of health shall not implement any new or amended rules pertaining to primary and secondary school facilities until the rules and a final cost estimate have been presented to the legislature, and the legislature has formally funded implementation of the rules through the omnibus appropriations act or by statute. The department may seek, receive, and spend, under RCW 43.79.260 through 43.79.282, federal moneys not anticipated in this act as long as the federal funding does not require expenditure of state moneys for the program in excess of amounts anticipated in this act. If the department receives unanticipated unrestricted federal moneys, those moneys shall be spent for services authorized in this act or in any other legislation that provides appropriation authority, and an equal amount of appropriated state moneys shall lapse. Upon the lapsing of any moneys under this subsection, the office of financial management shall notify the legislative fiscal committees. As used in this subsection, "unrestricted federal moneys" includes block grants and other funds that federal law does not require to be spent on specifically defined projects or matched on a formula basis by state funds.

(2) During the 2023-2025 fiscal biennium, each person subject to RCW 43.70.110(3)(c) is required to pay only one surcharge of up to \$25 annually for the purposes of RCW 43.70.112, regardless of how many professional licenses the person holds.

(3) In accordance with RCW 43.70.110 and 71.24.037, the department is authorized to adopt license and certification fees in fiscal years 2024 and 2025 to support the costs of the regulatory program. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(4) Within the amounts appropriated in this section, and in accordance with RCW 70.41.100, the department shall set fees to include the full costs of the performance of inspections pursuant

to RCW 70.41.080.

(5) In accordance with RCW 43.70.110 and 71.24.037, the department is authorized to adopt fees for the review and approval of mental health and substance use disorder treatment programs in fiscal years 2024 and 2025 as necessary to support the costs of the regulatory program. The department's fee schedule must have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower cost of licensing for these programs than for other organizations which are not accredited.

(6) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

(7) Within the amounts appropriated in this section, and in accordance with RCW 43.70.110 and 71.12.470, the department shall set fees to include the full costs of the performance of inspections pursuant to RCW 71.12.485.

(8) \$492,000 of the general fund—state appropriation for fiscal year 2024 and \$492,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate with local health jurisdictions to establish and maintain comprehensive group B programs to ensure safe drinking water. These funds shall be used for implementation costs, including continued development and adoption of rules, policies, and procedures; technical assistance; and training.

(9) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$92,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for community outreach to prepare culturally and linguistically appropriate hepatitis B information in a digital format to be distributed to ethnic and cultural leaders and organizations to share with foreign-born and limited or non-English speaking community networks.

(10) Within amounts appropriated in this section, the Washington (~~nursing commission~~) board of nursing must hire sufficient staff to process applications for nursing licenses so that the time required for processing does not exceed seven days.

(11) \$725,000 of the general fund—state appropriation for fiscal year 2024 and (~~\$725,000~~) \$1,225,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington poison center. This funding is provided in addition to funding pursuant to RCW 69.50.540.

(12) \$622,000 of the general fund—state appropriation for fiscal year 2024, \$622,000 of the general fund—state appropriation for fiscal year 2025, and \$3,000,000 of the medicaid fraud penalty account—state appropriation are provided

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solely for the ongoing operations and maintenance of the prescription monitoring program maintained by the department.

(13) \$2,265,000 of the general fund—state appropriation for fiscal year 2024 and \$2,265,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for:

(a) Staffing by the department, the department of veterans affairs, and the department of corrections to expand statewide suicide prevention efforts, which efforts include suicide prevention efforts for military service members and veterans and incarcerated persons;

(b) A suicide prevention public awareness campaign to provide education regarding the signs of suicide, interventions, and resources for support;

(c) Staffing for call centers to support the increased volume of calls to suicide hotlines;

(d) Training for first responders to identify and respond to individuals experiencing suicidal ideation;

(e) Support for tribal suicide prevention efforts;

(f) Strengthening behavioral health and suicide prevention efforts in the agricultural sector;

(g) Support for the three priority areas of the governor's challenge regarding identifying suicide risk among service members and their families, increasing the awareness of resources available to service members and their families, and lethal means safety planning;

(h) Training for community health workers to include culturally informed training for suicide prevention;

(i) Coordination with the office of the superintendent of public instruction; and

(j) Support for the suicide prevention initiative housed in the University of Washington.

(14) \$4,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$4,500,000)~~ \$4,600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the fruit and vegetable incentives program. Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are for the fruit and vegetable prescription program, which provides food as medicine to individuals experiencing food insecurity or are at high risk of developing a chronic health condition.

(15) \$627,000 of the general fund—state appropriation for fiscal year 2024 and \$627,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement the recommendations from the community health workers task force to provide statewide leadership, training, and integration of community health workers with insurers, health care providers, and public health systems.

(16) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington ~~(nursing commission)~~ board of nursing to manage a grant process to incentivize nurses to supervise nursing students in health care settings. The goal of the grant program is to create more clinical placements for nursing students to complete required clinical hours to earn their nursing degree and related licensure.

(17) \$1,490,000 of the health professional services account—state appropriation is provided solely for the Washington ~~(nursing commission)~~ board of nursing to continue to implement virtual nursing assistant training and testing modalities, create an apprenticeship pathway into nursing for nursing assistants, implement rule changes to support a career path for nursing assistants, and collaborate with the workforce training and educational coordinating board on a pilot project to

transform the culture and practice in long term care settings. The goal of these activities is to expand the nursing workforce for long term care settings.

(18) \$186,000 of the general fund—state appropriation for fiscal year 2024 and \$186,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to test for lead in child care facilities to prevent child lead exposure and to research, identify, and connect facilities to financial resources available for remediation costs.

(19) \$814,000 of the general fund—state appropriation for fiscal year 2024 and \$814,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide grants to support school-based health centers and behavioral health services.

(20) \$1,300,000 of the general fund—state appropriation for fiscal year 2024 and \$1,300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate and lead a multi-agency approach to youth suicide prevention and intervention.

(21)(a) \$486,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintenance of the community health worker platform and continued implementation of the community health worker trainings in the pediatric setting for children with behavioral health needs.

(b) Of the amounts provided in this subsection for fiscal year 2024, \$250,000 is provided solely for a grant to a pediatric organization to convene a learning collaborative to support community health workers to ensure their success while on the job with their multidisciplinary clinic teams and for the development of this new integrated health care worker field.

(22) \$1,390,000 of the general fund—state appropriation for fiscal year 2024 and \$1,378,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the child profile health promotion notification system.

(23) ~~(\$5,000,000)~~ (a) \$10,250,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to expand the distribution of naloxone through the department's overdose education and naloxone distribution program. Funding must be prioritized to fill naloxone access gaps in community behavioral health and other community settings, including providing naloxone to first responders and agency staff in organizations such as syringe service programs, house providers, and street outreach programs.

(b) Of the amounts provided in this subsection, \$1,250,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to purchase a dedicated supply of naloxone for first responders across the state.

(24) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for prevention, treatment, and recovery support services to remediate the impacts of the opioid epidemic. This funding must be used consistent with conditions of the opioid settlement agreements that direct how funds deposited into the opioid abatement settlement account created in Engrossed Substitute Senate Bill No. 5293 must be used.

(25) \$400,000 of the opioid abatement settlement account—state appropriation is provided solely for the completion of work identified in the state opioid response plan related to maternal and infant health.

(26)(a) \$10,000,000 of the climate commitment account—state appropriation is provided solely to support and administer a workplace health and safety program for workers who are affected by climate impacts, including but not limited to, extreme

heat and cold, wildfire smoke, drought, and flooding. This program will focus on workplace health and safety for farmworkers, construction workers, and other workers who face the most risk from climate-related impacts. This amount shall be limited to supporting vulnerable populations in overburdened communities under the climate commitment act as defined in RCW 70A.65.010. Funding shall be provided for:

(i) Pass through grants to community-based organizations, tribal governments, and tribal organizations to support workplace health and safety for workers who are burdened by the intersection of their work and climate impacts; and

(ii) Procurement and distribution of equipment and resources for workers who are burdened by the intersection of their work and climate impacts directly by the department of health, or through pass-through grants to community-based organizations, tribal governments, and tribal organizations. Equipment and resources may include but are not limited to: Personal protective equipment, other protective or safety clothing for cold and heat, air purifiers for the workplace or worker housing, protection from ticks and mosquitoes, and heating and cooling devices.

(b) The department of health, in consultation with the environmental justice council, community groups, and the department of labor and industries, shall evaluate mechanisms to provide workers with financial assistance to cover lost wages or other financial hardships caused by extreme weather events and climate threats.

(c) No more than five percent of this funding may be used to administer this grant program.

(27) (~~(\$5,996,000)~~) \$7,174,000 of the climate commitment account—state appropriation is provided solely for the department to implement the healthy environment for all act under chapter 70A.02 RCW, including additional staff and support for the environmental justice council and implementation of a community engagement plan. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes of this subsection.

(28)(a) \$26,355,000 of the climate commitment account—state appropriation is provided solely for the department to administer capacity grants to tribes and tribal organizations and to overburdened communities and vulnerable populations to provide guidance and input:

(i) To agencies and to the environmental justice council on implementation of the healthy environment for all act; and

(ii) To the department on updates to the environmental health disparities map.

(b) At least 50 percent of the total amount distributed for capacity grants in this subsection must be reserved for grants to tribes and tribal organizations.

(c) Funding provided in this subsection may be used for tribes and tribal organizations to hire staff or to contract with consultants to engage in updating the environmental health disparities map or on implementing the healthy environment for all act.

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

(29) \$17,752,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to sustain information technology infrastructure, tools, and solutions developed to respond to the COVID-19 pandemic. The department shall submit a plan to the office of financial management by September 15, 2023, that identifies a new funding strategy to maintain these information technology investments within the department's existing state, local, and federal funding. Of this amount, a sufficient amount is appropriated for the department to create an implementation plan for real-time bed capacity and tracking for

hospitals and skilled nursing facilities, excluding behavioral health hospitals and facilities. The department will provide the implementation plan and estimated cost for an information technology system and implementation costs to the office of financial management by September 15, 2023, for the bed capacity and tracking tool.

(30) (~~(\$20,000,000)~~) \$18,700,000 of the general fund—state appropriation for fiscal year 2024 and \$1,300,000 of the coronavirus state fiscal recovery fund—federal appropriation (~~(is)~~) are provided solely to support COVID-19 public health and response activities. The department must continue to distribute COVID-19 testing supplies to agricultural workers and tribal governments. The department must submit a spending plan to the office of financial management for approval. These funds may only be allocated and expended after approval of the spending plan.

(31) \$7,657,000 of the general fund—state appropriation for fiscal year 2024 and \$7,853,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for programs and grants to maintain access to abortion care. Of the amounts provided in this subsection:

(a) \$2,939,000 of the general fund—state appropriation for fiscal year 2024 and \$2,939,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care;

(b) \$368,000 of the general fund—state appropriation for fiscal year 2024 and \$364,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for outreach, patient navigation, staffing at the department, and training;

(c) \$4,100,000 of the general fund—state appropriation for fiscal year 2024 and \$4,300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care who participate in the department's sexual and reproductive health program for workforce retention and recruitment initiatives to ensure continuity of services; and

(d) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to providers of abortion care that participate in the department's sexual and reproductive health program for security investments.

(32) \$285,000 of the general fund—state appropriation for fiscal year 2024, \$295,000 of the general fund—state appropriation for fiscal year 2025, and \$214,000 of the general fund—private/local appropriation are provided solely for the behavioral health agency program for licensure and regulatory activities.

(33) \$104,000 of the general fund—state appropriation for fiscal year 2024, \$104,000 of the general fund—state appropriation for fiscal year 2025, and \$42,000 of the health professions account—state appropriation are provided solely for the department to conduct credentialing and inspections under chapter 324, Laws of 2019 (behavioral health facilities).

(34) (~~(\$3,298,000)~~) \$1,398,000 of the general fund—state appropriation for fiscal year 2024 (~~(is)~~) and \$1,900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the breast, cervical and colon screening program, comprehensive cancer community partnerships, and Washington state cancer registry.

(35) \$85,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for continued implementation of chapter 58, Laws of 2022 (cardiac & stroke response).

(36) \$671,000 of the general fund—state appropriation for fiscal year 2024 and \$329,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the care-a-van mobile health program.

(37) \$702,000 of the climate investment account—state

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appropriation is provided solely for implementation of chapter 316, Laws of 2021 (climate commitment act).

(38) \$200,000 of the climate investment account—state appropriation is provided solely for the environmental justice council to coordinate with the department of ecology on a process to track state agency expenditures from climate commitment act accounts, as described in section 302(13) of this act. Funding is for the following as they relate to development of the department of ecology process:

(a) Public engagement with tribes and vulnerable populations within the boundaries of overburdened communities; and

(b) Cost recovery or stipends for participants in the public process to reduce barriers to participation, as described in RCW 43.03.220.

(39) \$31,000 of the general fund—state appropriation for fiscal year 2024 and \$31,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 204, Laws of 2022 (truck drivers/restrooms).

(40) \$808,000 of the drinking water assistance administrative account—state appropriation is provided solely for the water system consolidation grant program.

(41) \$1,044,000 of the safe drinking water account—state appropriation is provided solely for the drinking water technical services program.

(42) \$288,000 of the secure drug take-back program account—state appropriation is provided solely for implementation of chapter 155, Laws of 2021 (drug take-back programs).

(43) \$7,146,000 of the drinking water assistance account—federal appropriation is provided solely for the office of drinking water to provide technical assistance, direct engineering support, and construction management to small water systems.

(44) \$381,000 of the general fund—state appropriation for fiscal year 2024 and \$607,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the early hearing detection, diagnosis, and intervention program.

(45) \$954,000 of the general fund—state appropriation for fiscal year 2024 and \$686,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(46) ~~(\$12,466,000)~~ \$12,509,000 of the health professions account—state appropriation ~~(is)~~ and \$13,187,000 of the general fund—private/local appropriation are provided solely for the regulation of health professions.

(47) \$599,000 of the health professions account—state appropriation is provided solely for ongoing maintenance of the HEALWA web portal to provide access to health information for health care providers.

(48) \$1,359,000 of the general fund—state appropriation for fiscal year 2024, \$680,000 of the general fund—state appropriation for fiscal year 2025, and \$680,000 of the general fund—private/local appropriation are provided solely for the department to perform investigations to address the backlog of hospital complaints.

(49) \$12,000 of the health professions account—state appropriation is provided solely for implementation of chapter 204, Laws of 2021 (international medical grads).

(50) \$634,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to onboard systems to, and maintain, the master person index as part of the health and human services coalition master person index initiative, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(51) \$2,062,000 of the general fund—state appropriation for fiscal year 2024 and \$1,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to complete upgrades to the medical cannabis authorization database to improve reporting functions and accessibility, and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(52) \$1,865,000 of the medical test site licensure account—state appropriation is provided solely for the medical test site regulatory program for inspections and other regulatory activities.

(53) \$2,276,000 of the health professions account—state appropriation is provided solely for the ~~((nursing care quality assurance commission))~~ Washington board of nursing for nursing licensure and other regulatory activities.

(54) \$813,000 of the general fund—state appropriation for fiscal year 2024 and \$811,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to assist with access to safe drinking water for homes and businesses with individual wells or small water systems that are contaminated.

(55) \$146,000 of the model toxics control operating account—state appropriation is provided solely for implementation of chapter 264, Laws of 2022 (chemicals/consumer products).

(56) \$1,150,000 of the general fund—state appropriation for fiscal year 2024 and \$1,150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to expand the birth equity project with the goal of reducing prenatal and perinatal health disparities.

(57) \$1,738,000 of the general fund—private/local appropriation is provided solely for implementation of chapter 115, Laws of 2020 (psychiatric patient safety).

(58) \$23,066,000 of the foundational public health services account—state appropriation is provided solely for the department to maintain the RAINIER (reporting array for incident, noninfectious and infectious event response) suite, RHINO (rapid health information network) program, WAIS (Washington immunization information system) system, and data exchange services.

(59) \$5,100,000 of the general fund—state appropriation for fiscal year 2024, \$7,355,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$7,022,000)~~ \$1,922,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely for operation of the statewide medical logistics center. Within these amounts, the department must coordinate with the department of social and health services to develop processes that will minimize the disposal and destruction of personal protective equipment and for interagency distribution of personal protective equipment.

(60) \$315,000 of the general fund—state appropriation for fiscal year 2024 and \$315,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to operate the universal development screening system.

(61) \$2,000,000 of the health professions account—state appropriation and \$293,000 of the public health supplemental account—state appropriation are provided solely for the Washington medical commission for regulatory activities, administration, and addressing equity issues in processes and policies.

(62) ~~(\$200,000)~~ \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department, in collaboration with the Washington medical coordination center, to create an implementation plan for real-time bed capacity and tracking for hospitals. The department must provide the implementation plan and estimated costs for the bed

capacity and tracing tool to the office of the governor and the office of financial management by ~~((September 15, 2023))~~ September 1, 2024.

(63) \$48,000 of the model toxics control operating account—state appropriation is provided solely for the Puget Sound clean air agency to coordinate meetings with local health jurisdictions in King, Pierce, Snohomish, and Kitsap counties to better understand air quality issues, align messaging, and facilitate delivery of ready-to-go air quality and health interventions. The amount provided in this subsection may be used for agency staff time, meetings and events, outreach materials, and tangible air quality and health interventions.

(64) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the midwifery licensure and regulatory program to supplement revenue from fees. The department shall charge no more than \$525 annually for new or renewed licenses for the midwifery program.

(65) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of radiation protection to conduct a review of the state's readiness for licensing fusion energy projects. The legislature intends for Washington to support the deployment of fusion energy projects and larger research facilities by taking a leading role in the licensing of future fusion power plants. The department, in consultation with relevant state-level regulatory agencies, must review and provide recommendations and costs estimates for the necessary staffing and technical resources to fulfill the state's registration, inspection, and licensure obligations. The department must report its findings and any recommendations to the governor and appropriate legislative committees by December 1, 2023.

(66) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for blood supply relief. The department must distribute this amount equally between the four largest nonprofit blood donation organizations operating in the state. The amounts distributed may be used only for activities to rebuild the state's blood supply, including increased staffing support for donation centers and mobile blood drives.

(67) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~((\$2,500,000))~~ \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for tobacco, vapor product, and nicotine control, cessation, treatment, and prevention, and other substance use prevention and education, with an emphasis on community-based strategies. These strategies must include programs that consider the disparate impacts of nicotine addiction on specific populations, including youth and racial or other disparities.

(68) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for an existing program that works with community members and partners to bridge health equity gaps to establish a pilot health care program in Pierce county to serve the unique needs of the African American community, including addressing diabetes, high blood pressure, low birth weight, and health care for preventable medical, dental, and behavioral health diagnoses.

(69) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Island county to contract for a study of cost-effective waste treatment solutions, as an alternative to septic and sewer, for unincorporated parts of Island county. The study must:

(a) Identify any regulatory barriers to the use of alternative technology-based solutions;

(b) Include an opportunity for review and consultation by the department; and

(c) Include any recommendations from the department in the final report.

(70) \$2,656,000 of the general fund—private/local appropriation is provided solely for the department to provide cystic fibrosis DNA testing and to engage with a courier service to transport specimens to the public health laboratory.

(71) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely in support of the department's activities pursuant to chapter 226, Laws of 2016 (commonly known as the caregiver advise, record, enable act). This funding must be used to:

(a) Create a communication campaign to notify hospitals across the state of available resources to support family caregivers;

(b) Curate or create a set of online training videos on common caregiving tasks including, but not limited to, medication management, injections, nebulizers, wound care, and transfers; and

(c) Provide information to patients and family caregivers upon admission.

(72) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1275 (athletic trainers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(73) \$126,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1001 (audiology & speech compact). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(74) \$9,157,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(75) \$1,016,000 of the general fund—state appropriation for fiscal year 2024, \$453,000 of the general fund—state appropriation for fiscal year 2025, \$30,000 of the general fund—private/local appropriation, and \$676,000 of the health professions account—state appropriation are provided solely for implementation of Second Substitute House Bill No. 1724 (behavioral health workforce). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(76) \$72,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(77) \$418,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(78) \$46,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1466 (dental auxiliaries). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(79) \$12,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1287 (dental hygienists). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(80) \$136,000 of the general fund—state appropriation for fiscal year 2025 and \$193,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1678 (dental therapists). ~~((If~~

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~~the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~

(81) \$158,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1576 (dentist compact). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(82) \$4,000 of the general fund—state appropriation for fiscal year 2025 and \$700,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Substitute House Bill No. 1503 (health care licenses/info.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(83) \$29,000 of the general fund—state appropriation for fiscal year 2024 and \$124,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1255 (health care prof. SUD prg.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(84) \$48,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1694 (home care workforce shortage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(85) \$282,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1039 (intramuscular needling). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(86) \$1,892,000 of the general fund—state appropriation for fiscal year 2024 and \$2,895,000 of the general fund—private/local appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(87) \$407,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(88) \$65,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1073 (medical assistants). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(89) \$447,000 of the general fund—state appropriation for fiscal year 2024 and \$448,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1452 (medical reserve corps). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(90) \$195,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor comp). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(91) \$158,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(92) ~~(((\$400,000)) \$165,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~(((\$165,000)) \$400,000~~ of the general fund—state appropriation for fiscal year 2025 are

provided solely for implementation of Substitute House Bill No. 1457 (motor carriers/restrooms). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(93) \$126,000 of the general fund—state appropriation for fiscal year 2024, ~~(((\$102,000)) \$202,000~~ of the general fund—state appropriation for fiscal year 2025, and \$81,000 of the health professions account—state appropriation are provided solely for implementation of Substitute House Bill No. 1247 (music therapists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(94) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1271 (organ transport vehicles). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(95) ~~(((\$862,000)) \$627,000~~ of the general fund—state appropriation for fiscal year 2024 and ~~(((\$526,000)) \$761,000~~ of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1470 (private detention facilities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(96) \$97,000 of the general fund—state appropriation for fiscal year 2024 and \$27,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1230 (school websites/drug info.). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(97) \$77,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(98) \$2,773,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$2,773,000)) \$3,273,000~~ of the general fund—state appropriation for fiscal year 2025 are provided solely for grant funding and administrative costs for the school-based health center program established in chapter 68, Laws of 2021 (school-based health centers).

(99) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a community-based nonprofit organization located in the Yakima Valley to continue a Spanish-language public radio media campaign aimed at providing education on the COVID-19 pandemic through an outreach program. The goal of the radio media campaign is to reach residents considered "essential workers," including but not limited to farmworkers, and provide information on health and safety guidelines, promote vaccination events, and increase vaccine confidence. The nonprofit organization must coordinate with medical professionals and other stakeholders on the content of the radio media campaign. The department, in coordination with the nonprofit, must provide a preliminary report to the legislature no later than December 31, 2024. A final report to the legislature must be submitted no later than June 30, 2025. Both reports must include: (a) A description of the outreach program and its implementation; (b) the number of individuals reached through the outreach program; and (c) any relevant demographic data regarding those individuals.

(100) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state

appropriation for fiscal year 2025 are provided solely for the department to contract with an equity consultant to evaluate the effect of changes made by, and vulnerabilities in, Engrossed Substitute Senate Bill No. 5179 (death with dignity act). The consultant shall partner with interested parties, vulnerable populations, and communities of color to solicit feedback on barriers to accessing the provisions of the act, any unintended consequences, and any challenges and vulnerabilities in the provision of services under the act, recommendations on ways to improve data collection, and recommendations on additional measures to be reported to the department. The department must report the findings and recommendations to the legislature by June 30, 2025.

(101) \$350,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a rural nursing workforce initiative to create a hub for students to remain in rural environments while working toward nursing credentials, including for program personnel, support, and a rural nursing needs assessment. Funding is provided to develop a program based on the rural nursing needs assessment.

(102)(a) \$1,393,000 of the climate commitment account—state appropriation is provided solely for grants to King county to address the disproportionate rates of asthma among children who reside within 10 miles of the Seattle-Tacoma international airport.

(b) Of the amount provided in this subsection, \$971,000 is provided to increase access to community health worker asthma interventions.

(c) Of the amount provided in this subsection, \$412,000 is for an independent investigation of the added benefit of indoor air quality interventions, including high efficiency particulate air filters, on disparities in indoor air pollution.

(d) Of the amount provided in this subsection, \$10,000 is for a regional data analysis and surveillance of asthma diagnoses and hospitalizations in King county.

(e) The county may contract with the University of Washington for the work described in (c) and (d) of this subsection.

(103) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the collaboration between the local public health jurisdiction, related accountable communities of health, and health care providers to reduce potentially preventable hospitalizations in Pierce county. This collaboration will build from the first three years of the project, planning to align care coordination efforts across health care systems and support the related accountable communities of health initiatives, including innovative, collaborative models of care. Strategies to reduce costly hospitalizations include the following: (a) Working with partners to prevent chronic disease; (b) improving heart failure rates; (c) incorporating community health workers as part of the health care team and improving care coordination; (d) supporting the COVID-19 response with improved access to immunizations; and (e) the use of community health workers to provide necessary resources to prevent hospitalization of people who are in isolation and quarantine. By December 15, 2024, the members of the collaboration shall report to the legislature regarding the effectiveness of each of the strategies identified in this subsection. In addition, the report shall describe the most significant challenges and make further recommendations for reducing costly hospitalizations.

(104) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a community-based organization to host a deliberative democratic processes workshop for the HEAL act interagency work group established under RCW 70A.02.110,

then develop, in consultation with environmental justice council or its staff, best practices for how agencies can incorporate deliberative democratic processes into community engagement practices.

(105) \$1,305,000 of the climate commitment account—state appropriation is provided solely for the climate health adaptation initiative.

(106) \$65,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5179 (death with dignity act). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(107) \$604,000 of the general fund—state appropriation for fiscal year 2024 and \$552,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(108) \$95,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5389 (optometry). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(109) \$1,205,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5499 (multistate nurse licensure). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(110) \$30,000 of the general fund state—appropriation for fiscal year 2024, \$25,000 of the general fund—state appropriation for fiscal year 2025, and \$52,000 of the health professions account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5547 (nursing pool transparency). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(111) \$32,000 of the general fund—private/local appropriation is provided solely for implementation of Substitute Senate Bill No. 5569 (kidney disease centers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(112) \$446,000 of the general fund—state appropriation for fiscal year 2024 and \$441,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5453 (female genital mutilation). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(113) \$466,000 of the general fund—state appropriation for fiscal year 2024 and \$487,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5278 (home care aide certification). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(114) \$131,000 of the general fund—state appropriation for fiscal year 2024 and \$91,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5523 (forensic pathologist). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(115) \$36,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(116) \$339,000 of the general fund—state appropriation for fiscal year 2024 and \$485,000 of the general fund—state

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appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5555 (certified peer specialists). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(117) \$198,000 of the general fund—private/local appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5120 (crisis relief centers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(118) \$125,000 of the general fund—state appropriation for fiscal year 2024, \$207,000 of the general fund—state appropriation for fiscal year 2025, and \$133,000 of the health professions account—state appropriation are provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(119) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of health to provide grants to federally qualified health centers (FQHCs) for the purchase of long-acting reversible contraceptives (LARCs). For LARCs purchased with the funding provided in this subsection, FQHCs shall provide patients with LARCs the same day they are seeking that family planning option.

(a) The department shall develop criteria for how the grant dollars will be distributed, including that FQHCs are required to participate in contraceptive training related to patient-centered care, shared decision making, and reproductive bias and coercion.

(b) The department shall survey the FQHCs participating in the grant program regarding the use of LARCs by their patients, as compared to the two years prior to participation in the grant program, and report the results of the survey to the appropriate committees of the legislature by December 1, 2025.

(120) \$63,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to utilize materials from the "count the kicks" program in designing, preparing, and making available online written materials to inform health care providers and staff of evidence-based research and practices that reduce the incident of stillbirth, by December 31, 2023.

(121) \$351,000 of the general fund—state appropriation for fiscal year 2024 and \$624,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Snohomish county health department to convene a leadership planning group that will:

(a) Conduct a landscape analysis of current sexually transmitted infection, postexposure prophylaxis, preexposure prophylaxis, and hepatitis B virus services and identify treatment improvements for HIV preexposure prophylaxis;

(b) Establish sexually transmitted infection clinical services at the Snohomish county health department and identify opportunities to expand sexual health services provided outside of clinical settings;

(c) Conduct research on opportunities to expand jail-based sexual health services;

(d) Establish an epidemiology and technical team;

(e) Expand field-based treatment for syphilis; and

(f) Establish an in-house comprehensive, culturally responsive sexual health clinic at the Snohomish county health department.

(122) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$53,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30,~~

~~2023, the amounts provided in this subsection shall lapse.))~~

(123) \$5,496,000 of the climate commitment account—state appropriation is provided solely for the department to provide grants to school districts making updates to existing heating, venting, and air conditioning systems using small district modernization grants.

(124) \$38,600,000 of the climate commitment account—state appropriation is provided solely for the department to develop a grant program to fund projects that benefit overburdened communities as defined in RCW 70A.02.010(11). Of the amount provided in this subsection:

(a) \$6,000,000 of the climate commitment account—state appropriation is provided solely ~~((for fiscal year 2024))~~ for the department and the environmental justice council created in RCW 70A.02.110 to engage in a participatory budgeting process with at least five geographically diverse overburdened communities, as identified by the department, to develop a process to select and fund projects that mitigate the disproportional impacts of climate change on overburdened communities. The process must allow for full community engagement and develop criteria for eligible entities and projects and establish priorities to achieve the greatest gain for decarbonization and resiliency. A report of the outcomes of the participatory budgeting process detailing its recommendations for funding as well as future improvements to the participatory budgeting process must be provided to the appropriate committees of the legislature by December 31, 2023.

(b) \$32,600,000 of the climate commitment account—state appropriation is provided solely ~~((for fiscal year 2025))~~ for the department to provide grants that benefit overburdened communities. The department must submit to the governor and the legislature a ranked list of projects consistent with the recommendations developed in (a) of this subsection. The department shall not sign contracts or otherwise financially obligate funds under this section until the legislature has approved a specific list of projects.

(125) \$5,430,000 of the general fund—state appropriation for fiscal year 2024 and \$5,326,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain the current level of credentialing staff until the completion of the study on fees by Results WA.

(126) \$280,000 of the general fund—state appropriation for fiscal year 2024 and \$280,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the central nursing resource center established in RCW 18.79.202 to facilitate communication between nursing education programs and health care facilities that offer clinical placements for the purpose of increasing clinical education and practice experiences for nursing students. The department shall contract with the central nursing resource center to:

(a) Gather data to assess current clinical placement practices, opportunities, and needs;

(b) Identify all approved nursing education programs and health care facilities that offer clinical placement opportunities in the state;

(c) Convene and facilitate quarterly stakeholder meetings between representatives from approved nursing education programs and health care facilities that offer clinical placement opportunities, and other relevant stakeholders, in order to:

(i) Connect representatives by region;

(ii) Facilitate discussions between representatives, by region, to determine:

(A) Clinical placement barriers;

(B) The number and types of clinical placement opportunities needed; and

(C) The number and types of clinical placement opportunities available; and

(iii) Develop strategies to resolve clinical placement barriers;

(d) Provide a digital message board and communication platform representatives can use to maintain ongoing communication and clinical placement needs and opportunities;

(e) Identify other policy options and recommendations to help increase the number of clinical placement opportunities, if possible; and

(f) Submit a report of findings, progress, and recommendations to the governor and appropriate committees of the legislature by December 1, 2025.

(127) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of health to contract with an organization located in Thurston county that dedicates itself to the promotion of education, holistic health, and trauma healing in the African American community to provide behavioral health education, mental wellness training, evidence based health programs, events, and conferences to individuals, youth/adults, parents/parent partners, and families, that have suffered from generational and systemic racism. In conducting this work, the organization will engage diverse individuals in racial healing and reparative justice in the field of mental wellness. The organization will also prioritize mental health equity and reparative justice in their work to eradicate health disparities that African American communities have faced due to generational racism.

(128) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). (~~if the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(129) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for three full-time emergency medical technicians and other resources necessary for the Franklin county public health district to provide health services as part of medical transport operations services, including services to the Coyote Ridge corrections center.

(130) \$9,982,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for the 988 technology platform implementation project as described in RCW 71.24.890(5)(a). This amount is subject to the conditions, limitations, and review requirements provided in section 701 of this act and any requirements as established in Senate Bill No. 6308 (extending timelines for implementation of the 988 system). The department must actively collaborate with consolidated technology services and the health care authority so that the statewide 988 technology solutions will be coordinated and interoperable.

(131) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as pass-through funding to an organization that specializes in culturally relevant sports programs for indigenous children and adolescents, with the goal of keeping at-risk youth out of the juvenile justice system.

(132)(a) \$450,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with an independent third-party consultant to review the department's commercial shellfish regulatory program, including licensing, testing, and certification practices and requirements. The consultant must assess how the department sets commercial shellfish fees under RCW 43.70.250.

(i) The consultant must seek input from the department, the commercial shellfish industry, and tribes and must consider:

(A) Data sources and methods used by the department in setting or proposing increases to commercial shellfish fees;

(B) All costs associated with administering the department's regulatory authority over the testing of shellfish, the certification of operations and the issuance of licenses, and issuing export certificates for the commercial shellfish industry;

(C) Activities conducted by the department related to regulating the shellfish industry's regulatory activities that should be exempt from inclusion in the fee; and

(D) Relevant fees, methods, and considerations from other states that regulate the commercial shellfish industry under the Model Ordinance of the Interstate Shellfish Sanitation Conference for comparable services the department is providing the shellfish industry.

(ii) The consultant must also evaluate the viability of the industry to support full cost recovery as required under RCW 43.70.250 and recommend strategies to address any shortfalls. The consultant shall submit a report to the governor and legislature by June 30, 2025.

(b) Using the amounts provided in this subsection, the department shall also contract with a LEAN management consultant to review the shellfish licensing and certification program to identify program improvements and consider methods to offer data transparency to the industry and measures to potentially reduce program administration costs. The LEAN assessment must be completed and provided to the department by June 30, 2025.

(c) The department shall not increase commercial shellfish fees under RCW 43.70.250 during fiscal year 2025.

(133)(a) \$15,953,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to maintain public health information technology infrastructure in a cloud-based environment.

(b) The department shall develop an initial plan to identify efficiencies in the cloud-based environment and submit it to the office of financial management and the office of the chief information officer by October 1, 2024. The plan should include, at a minimum, strategies to identify efficiencies within the cloud-based environment; new funding strategies for cloud technology for the 2025-2027 fiscal biennium budget; an update on the department's cloud road map that identifies key systems that will be modernized, consolidated, and migrated or implemented in the cloud; an overview of existing public health technology data systems in the cloud and data systems that are scheduled to transition to the cloud with an estimated implementation schedule, including a summary of data retention policies; and strategies to minimize cost increases where possible through efficient implementation strategies.

(134) \$1,000,000 of the model toxics control operating account—state appropriation is provided solely to implement actions provided in the nitrate water hazard mitigation plan to support safe drinking water in the lower Yakima valley. Implementation of this plan includes, but is not limited to, education and outreach, well testing, and provision of alternate water supplies. The department may contract with local governments, local health jurisdictions, and nonprofit organizations to administer the plan.

(135) \$120,000 of the climate commitment account—state appropriation is provided solely for implementation of Substitute House Bill No. 1924 (fusion technology policies). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

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(136) \$154,000 of the general fund—state appropriation for fiscal year 2025 and \$150,000 of the climate commitment account—state appropriation are provided solely to support health equity zones, as defined in RCW 43.70.595, in identification and implementation of targeted interventions to have a significant impact on health outcomes and health disparities. Use of the climate commitment account—state appropriation must be for permitted uses defined in RCW 70A.65.260. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes of this subsection.

(137) \$135,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to support the community hospital utilization and financial data reporting program. The department shall provide sufficient staff resources to ensure data quality, accurate reporting, timely collection of data elements, and analysis of community hospital utilization and financial data. This amount must supplement and not supplant existing funding provided for this program.

(138) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to conduct an analysis of the certificate of need program established under chapter 70.38 RCW and report its findings and recommendations for statutory updates to the governor and appropriate legislative committees by June 30, 2025. The department must, at a minimum, consider other state approaches to certificate of need, impacts on access to care, cost control of health services, and equity, and approaches to identifying health care service needs at the statewide and community levels.

(139) \$40,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to promote evidence-based breastfeeding guidelines for individuals with a substance use disorder or who receive medication-assisted treatment for a substance use disorder, and to adapt the guidelines for tribal communities.

(140) \$700,000 of the general fund—state appropriation for fiscal year 2025 is provided solely as pass-through funding to a nonprofit organization located in the city of Seattle that specializes in resources and support for those impacted by cancer, including support groups, camps for kids impacted by cancer, and risk reduction education for teens.

(141) \$196,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for community compensation stipends for low-income individuals who participate in priority engagements across the department.

(142)(a) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide grants to support community-based health assessments for overburdened or highly impacted communities, and to develop a process for a grant program for federally recognized tribes.

(b) Of the amount provided in (a) of this subsection for fiscal year 2025:

(i) \$200,000 is provided solely for the department to leverage its existing health equity zone initiative to provide grants to overburdened or highly impacted communities to conduct community-based health assessments; and

(ii) \$100,000 is provided solely for the department to develop a process, in consultation with tribal governments, for a grant program for federally recognized tribes to conduct community-based health assessments.

(143) \$3,172,000 of the health professions account—state appropriation is provided solely for implementing improvements to licensure processes. Improvements may include, but are not limited to, updating internal policies and procedures, creating

web-based tutorials for applicants, updating existing web content for applicants, and researching the feasibility of live chat technology for applicants.

(144) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to pass-through to a nonprofit Washington-based organization with expertise in end-of-life care and in chapter 70.245 RCW (death with dignity act), to provide training, outreach, and education to medical professionals, hospice teams, and other Washingtonians, to support the provision of care under chapter 70.245 RCW.

(145) \$168,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to coordinate work related to dementia, including but not limited to:

(a) Coordinating dementia-related activities with the department of social and health services, the health care authority, and other state agencies as needed;

(b) Implementing recommendations from the dementia action collaborative in the updated state Alzheimer's plan within the department; and

(c) Other dementia-related activities as determined by the secretary.

(146) \$400,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to provide increased support for emergency medical services and fire departments in their opioid overdose prevention efforts, including naloxone leave-behind programs, overdose response communications, and staffing costs for community-based paramedics serving as navigators for education, resource, and follow-up supports.

(147) \$56,000 of the general fund—state appropriation for fiscal year 2024 and \$1,107,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional staffing and contracted services for the health disparities council.

(148) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a community organization located in King county that specializes in building a health care workforce equipped to meet the needs of Black, people of color, indigenous, LGBTQIA+ and other marginalized communities and addressing identified gaps through recruitment and training initiatives and research. This funding will support the development and execution of recruitment strategies, human resources systems, and administrative systems that address health care workforce gaps of primary care and mental health providers.

(149) \$83,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the development of an in-home services road map to help individuals assess their in-home services needs and locate providers to serve those needs in their communities. The department must work in consultation with appropriate stakeholders, including but not limited to the department of social and health services. The department must complete the document and make hard copies available for distribution no later than June 30, 2025.

(150)(a) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to collaborate with the department of commerce to assess the need for and feasibility of a statewide low-income assistance program for water utility customers. The study must include, but is not limited to:

(i) A summary of existing local, state, and federal low-income assistance;

(ii) A review of low-income populations' water utility service cost burden; and

(iii) Recommendations for the design of a statewide drinking water and wastewater utility assistance program, which must

include:

(A) Ongoing data collection on water-related assistance need of households;

(B) Intake coordination and data sharing across statewide programs serving low-income households;

(C) Program eligibility;

(D) Multilingual services;

(E) Outreach and community engagement;

(F) Program administration;

(G) Funding; and

(H) Reporting.

(b) Before commencing the study, the department of health and the department of commerce must convene a stakeholder group to advise the agencies throughout the study. The stakeholder group must include representatives from the governor's office, low-income advocates, wastewater system operators, drinking water system operators, and other interested parties.

(c) By June 30, 2025, the department must submit the study to the appropriate committees of the legislature.

(151) \$2,000,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to administer grants to local health jurisdictions for opioid and fentanyl awareness, prevention, and education campaigns.

(152)(a) \$750,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to contract with the Tacoma-Pierce county health department to develop a comprehensive model toolkit that includes prevention, education, awareness, and policy strategies to address local opioid and fentanyl crisis response needs.

(b) The elements of the toolkit must:

(i) Be based upon evidence-based research;

(ii) Include community or participatory approaches and policy, systems, and environment strategies; and

(iii) Be in alignment with the state opioid response plan.

(153) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to support local health jurisdictions, community-based organizations, and tribes in opioid-related harm reduction, care linkage, and prevention work.

(154)(a) \$745,000 of the opioid abatement settlement account—state appropriation is provided solely for the purchase of naloxone and fentanyl test strips, for distribution to high schools and public institutions of higher education.

(b) Of the amount provided in this subsection, \$345,000 of the opioid abatement settlement account—state appropriation is provided solely for the department for the purchase and distribution of naloxone administered by nasal inhalation for barrier-free and cost-free distribution to high school students. The department shall utilize and expand, as necessary, its existing bulk purchasing and distribution arrangements with educational service districts, which shall distribute further to high schools.

(i) The department shall enter into agreements with educational service districts and school districts to prioritize distribution to high school juniors and seniors.

(ii) The naloxone must be made available to students via health offices or vending or other machines, to promote confidence that a student may bring naloxone home, to provide anonymity for access, and to prevent any tracking of which students obtain naloxone.

(iii) Information on how naloxone is administered and how to recognize an opioid overdose must be made available to all students.

(iv) The department may prioritize distribution to districts and schools with a higher prevalence of opioid use and overdoses, based on data, including the healthy youth survey.

(c) Of the amount provided in this subsection, \$400,000 of the

opioid abatement settlement account—state appropriation is provided solely for the department for the purchase of naloxone administered by nasal inhalation and fentanyl test strips for barrier-free and cost-free distribution to students at public institutions of higher education, with the goal of distributing naloxone kits to five percent of enrolled students.

(155) \$133,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to maintain a supply of naloxone in public libraries for emergency response. This funding may be used:

(a) To supply naloxone directly to libraries; or

(b) As pass-through grants to libraries, for:

(i) The development of partnerships with local public health agencies or other governmental entities;

(ii) Purchases, delivery, and replacements of naloxone supply;

(iii) Training employees; or

(iv) Other activities and items that would ensure the availability of naloxone in the library.

(156) \$154,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for staffing to support a new office of tribal policy at the department.

(157) \$4,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department for enhanced opioid and fentanyl data dashboards and data systems, to provide a centralized place for local data gathering efforts to be collected, analyzed, and used in larger collaborative efforts. The data dashboards and systems must support use by state, local, public, and private partners in making strategic decisions on program implementation, emergency response, and regional coordination. Examples of data that may be better collected and used include public naloxone access, naloxone use data, mapping for overdoses, and related public health trends. The data dashboards and systems may include a data collection, evaluation, and usage plan for the state opioid and overdose response plan.

(158) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to stabilize and expand community-based harm reduction programs that provide evidence-based interventions, care navigation, and services, such as prevention of bloodborne infections, increasing naloxone access, and connecting people to resources and services.

(159)(a) \$750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to review and update the rules for school environmental health and safety. The state board of health and the department shall conduct the review in collaboration with a multi-disciplinary technical advisory committee. The proposed new rules shall establish the minimum statewide health and safety standards for schools. The state board of health shall consider the size of school districts, regional cost differences, the age of the schools, the feasibility of implementing the proposed rules by section or subject area, and any other variables that may affect the implementation of the rules. In developing proposed rules, the state board of health shall:

(i) Convene and consult with an advisory committee consisting of, at minimum, representatives from:

(A) The office of the superintendent of public instruction;

(B) Small and large school districts;

(C) The Washington association of school administrators;

(D) The Washington state school directors' association;

(E) The Washington association of maintenance and operations administrators; and

(F) The Washington association of school business officials;

(ii) After the development of the draft rules, the state board of health shall meet at least one time with the advisory committee and provide the opportunity for the advisory committee to comment on the draft rules;

(iii) Collaborate with the office of the superintendent of public

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instruction and develop a fiscal analysis regarding proposed rules that considers the size of school districts, regional cost differences, the age of the schools, range of costs for implementing the proposed rules by section or subject area, and any other variables that may affect costs as identified by the advisory committee; and

(iv) Assist the department in completing environmental justice assessments on any proposed rules.

(b) The office of the superintendent of public instruction, the department, the state board of health, the advisory committee, and local health jurisdictions shall work collaboratively to develop and provide a report to the office of the governor and appropriate committees of the legislature by June 30, 2025, detailing prioritized sections or subject areas of the proposed rules that will provide the greatest health and safety benefits for students, the order in which they should be implemented, and any additional recommendations for implementation.

(160) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department as pass-through funding for an organization in Pierce county with expertise in dispute resolution to convene a work group on oral health equity. The work group:

(a) Must include representatives from community-based organizations, dental providers, medical providers, federally qualified health centers, tribal dental clinics, oral health foundations, and public health and water systems;

(b) Shall review the findings from the department's oral health equity assessment, identify the communities in Washington experiencing the greatest oral health disparities, identify communities that should be prioritized for outreach and community water fluoridation efforts, and develop recommendations for how to partner with communities to address oral health disparities and provide education about community water fluoridation and other oral health measures;

(c) May convene its meetings virtually or by telephone; and

(d) Shall report its findings and recommendations to the legislature by June 30, 2025.

(161) \$426,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for two new area health education centers to recruit, train, and retain health care professionals in rural and underserved areas.

(162) \$428,000 of the model toxics control operating account—state appropriation is provided solely for continued implementation of chapter 156, Laws of 2021 (ESHB 1184) (risk-based water standards), to create standards for developers seeking to reuse wastewater in buildings.

(163) \$29,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 2416 (ARNP legal title). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(164) \$719,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to establish a statewide registry that stores and digitally reproduces portable orders for life sustaining treatment (POLST) forms. In establishing the registry, to the extent practicable, the department shall leverage and build upon any previous work at the department to establish a similar registry.

(165) \$194,000 of the general fund—state appropriation for fiscal year 2025 and \$94,000 of the health professions account—state appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 2247 (behavioral health providers). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(166) \$49,000 of the health professions account—state appropriation is provided solely for implementation of Senate Bill

No. 5184 (anesthesiologist assistants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(167) \$134,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5853 (behav crisis services/minors). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(168) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2320 (high THC cannabis products). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(169) \$161,000 of the general fund—private/local appropriation is provided solely for implementation of Substitute House Bill No. 2295 (hospital at-home service). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(170) \$53,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2075 (Indian health care providers). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(171) \$114,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5829 (congenital cytomegalovirus). The amount provided is for the department to develop, translate, and distribute educational materials regarding congenital cytomegalovirus. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(172) \$95,000 of the health professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 2355 (MRI technologists). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(173) \$5,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1917 (physician assistant compact). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(174) \$68,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2041 (physician assistant practice). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(175) \$22,000 of the health professions account—state appropriation is provided solely for implementation of House Bill No. 1972 (physician health prg. fees). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(176) \$29,000 of the general fund—private/local appropriation is provided solely for implementation of Substitute Senate Bill No. 5920 (psychiatric/cert. of need). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(177) \$100,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Substitute House Bill No. 2396 (synthetic opioids). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(178) \$59,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5271 (DOH facilities/enforcement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(179) \$2,219,000 of the statewide 988 behavioral health crisis response line account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No.

6251 (behavioral crisis coord.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(180) \$162,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6286 (nurse anesthetist workforce). The amount provided is for the department to provide grants to certified registered nurse anesthetists that precept nurse anesthesia residents. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(181) \$49,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5986 (out-of-network health costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(182) \$175,000 of the health professions account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(183) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5983 (syphilis treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(184) \$2,623,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Senate Bill No. 5906 (drug overdose prevention) or Engrossed Second Substitute House Bill No. 1956 (substance use prevention ed). The amount provided is for implementation of a drug overdose prevention campaign for youth and adults. If neither bill is enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(185) \$384,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). Of the amount provided in this subsection, \$359,000 of the opioid abatement settlement account—state appropriation is for two full-time equivalent staff to provide health education to the Latinx community. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(186) \$972,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5937 (crime victims/witnesses). The amount provided is for creation of the statewide forensic nurse coordination program. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(187) \$10,000 of the general fund—private/local appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6127 (HIV prophylaxis). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(188) \$29,000 of the health professions account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5940 (medical assistant-EMT cert.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(189) \$215,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 6234 (newborn screening for BCKDK). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 223. 2023 c 475 s 223 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

The health care authority, the health benefit exchange, the

department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multiorganization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that the development of projects identified in this report are planned for in a manner that ensures the efficient use of state resources and maximizes federal financial participation. The work of the coalition and any project identified as a coalition project is subject to the conditions, limitations, and review provided in section 701 of this act.

The appropriations to the department of corrections in this act shall be expended for the programs and in the amounts specified in this act. However, after May 1, 2024, after approval by the director of financial management and unless specifically prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 between programs. The department may not transfer funds, and the director of financial management may not approve the transfer, unless the transfer is consistent with the objective of conserving, to the maximum extent possible, the expenditure of state funds. The director of financial management shall notify the appropriate fiscal committees of the legislature in writing seven days prior to approving any deviations from appropriation levels. The written notification must include a narrative explanation and justification of the changes, along with expenditures and allotments by budget unit and appropriation, both before and after any allotment modifications or transfers.

(1) ADMINISTRATION AND SUPPORT SERVICES

General Fund—State Appropriation (FY 2024)	((\$96,389,000))
	\$100,954,000
General Fund—State Appropriation (FY 2025)	((\$95,589,000))
	\$101,900,000
General Fund—Federal Appropriation.....	\$400,000
General Fund—Private/Local Appropriation	\$168,000
TOTAL APPROPRIATION	((\$192,378,000))
	\$203,422,000

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

(a) ((~~\$819,000~~)) \$1,959,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$58,000~~)) \$169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(b) \$445,000 of the general fund—state appropriation for fiscal

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year 2024 and \$452,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

(c) \$932,000 of the general fund—state appropriation for fiscal year 2024 and \$434,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training statewide program administration team.

(d) \$2,056,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$2,056,000)~~ \$2,297,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services and staffing to support the iCOACH supervision model. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, health care discharge teams, and community partnership programs.

(e) \$127,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(f) \$127,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to operate body scanner programs to conduct security screenings for employees, contractors, visitors, volunteers, incarcerated individuals, and other persons entering the secure perimeters at the Washington corrections center for women and the Washington corrections center.

(g) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5891 (school bus trespass). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(h) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5917 (bias-motivated defacement). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(i) \$15,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(j) \$23,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2084 (construction training/DOC) for data collection and tracking of employment outcomes. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(k) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department of corrections to:

(i) Provide a study on health care benchmarks. The department must study and provide a review of its health care delivery system for incarcerated individuals. The study must include a review of how long it takes for health care staff to see a patient once a request has been made by that incarcerated individual, determine if patients are restricted from seeing a health care staff person due to health care staffing shortages, and provide a detailed health care staffing model that will ensure that incarcerated patients are seen by a physician or appropriate health care staff within 48 hours or less from the time the individual submits a request to see a health care staff person. Preliminary findings shall be submitted to the appropriate policy and fiscal committees of the legislature

and governor by November 15, 2024, with a final report from the study due by June 30, 2025; and

(ii)(A) Provide a report on solitary confinement/restrictive housing. The department must provide a review of its restrictive housing (solitary confinement) units. The report must include the number of hours each incarcerated person is held in administrative segregation or an intensive management unit at the Washington corrections center, the Washington state penitentiary, the Washington corrections center for women, the Monroe correctional complex, the Stafford Creek corrections center, the Airway Heights corrections center, the Coyote Ridge corrections center, and the Clallam Bay corrections center. The department must document the following items:

(I) For each incarcerated individual held in a solitary confinement/restrictive housing unit, document the daily number of hours the person is held in their cell; and

(II) For each incarcerated individual held in a solitary confinement/restrictive housing unit, document the daily number of hours or amount of time that the person is outside of their cell. Documentation of time spent outside of the cell must include the reason, at least when they are out of cell for purposes of recreation, treatment, counseling, or a medical appointment. If the person is moved out of their cell for programming, the type of programming must be specified.

(B) A preliminary report must be submitted to the appropriate policy and fiscal committees of the legislature and governor by November 15, 2024, with a final report due by June 30, 2025. The report must also include:

(I) The staffing by prison needed to ensure each person receives a minimum of one hour of indoor or outside yard recreation or dayroom recreation per day beginning on June 30, 2025;

(II) The funding needed for construction to begin no later than June 30, 2025, with a one-year completion date for additional indoor recreational yard areas, outdoor recreational yard areas, dayroom areas, and programming space as needed at each facility that has an intensive management unit;

(III) Excluding out of cell time in a dayroom or indoor or outside recreational yard area, the funding and staff needed by facility to ensure each and every incarcerated individual daily receives a minimum of two hours out of their cell for classroom or programming beginning on June 30, 2025;

(IV) A comprehensive list of intensive management unit construction/physical plant capacity by prison and average daily population in these units by fiscal year for 2019, 2020, 2021, 2022, and 2023 and an estimate for 2024, delineated by type of bed to include, but not be limited to: Administrative segregation, restrictive maximum custody housing, transfer housing, and progression housing; and

(V) Visuals of each prison intensive management units to include, but not limited to, a typical cell, dayroom, indoor yard, outdoor yard when one is exclusive to the intensive management unit, and programming space if it is exclusive to the intensive management unit.

(l)(i) \$126,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a dedicated staff position to prepare, compile, and post updates on staffing within both the correctional operations and health care programs each calendar month on the department of corrections' external website. This must include all facility budgeted full-time equivalency by classification and whether the position is filled or vacant. The information that is posted on the department's website shall be prepared and posted electronically monthly in Excel and must provide, by job class and by program and by facility:

(A) The total number of funded positions on the last day of the month;

(B) The total number of filled positions on the last day of the month;

(C) The total number vacant positions on the last day of the month;

(D) The number of new employees hired or promoted into that job class during the month;

(E) The number of employees leaving that job class during the month; and

(F) For employees departing during that month, how many:

(I) Transferred or were promoted to another job class within the department of corrections;

(II) How many retired; and

(III) How many employees left their employment within the department for other reasons.

(ii) If the department submits a budget request for the subsequent fiscal year for additional funding, positions, or overtime costs for the department's correctional operations program or health care services program for the subsequent fiscal year, the department must justify in writing the reason why additional funding and positions are needed when vacant positions and unspent funding exists within the department's respective programs.

(2) CORRECTIONAL OPERATIONS

General Fund—State Appropriation (FY 2024)	
.....	(\$729,679,000)
	<u>\$481,053,000</u>
General Fund—State Appropriation (FY 2025)	
.....	(\$738,933,000)
	<u>\$766,351,000</u>
General Fund—Federal Appropriation	\$4,326,000
General Fund—Private/Local Appropriation.....	\$334,000
<u>Coronavirus State Fiscal Recovery Fund—Federal</u>	
<u>Appropriation</u>	<u>\$262,300,000</u>
<u>Opioid Abatement Settlement Account—State</u>	
<u>Appropriation</u>	<u>\$217,000</u>
Washington Auto Theft Prevention Authority Account—	
State Appropriation.....	\$4,837,000
TOTAL APPROPRIATION.....	(\$1,478,109,000)
	<u>\$1,519,418,000</u>

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

(a) The department may contract for local jail beds statewide to the extent that it is at no net cost to the department. The department shall calculate and report the average cost per offender per day, inclusive of all services, on an annual basis for a facility that is representative of average medium or lower offender costs. The department shall not pay a rate greater than \$85 per day per offender excluding the costs of department of corrections provided services, including evidence-based substance abuse programming, dedicated department of corrections classification staff on-site for individualized case management, transportation of offenders to and from department of corrections facilities, and gender responsive training for jail staff. The capacity provided at local correctional facilities must be for offenders whom the department of corrections defines as close medium or lower security offenders. Programming provided for offenders held in local jurisdictions is included in the rate, and details regarding the type and amount of programming, and any conditions regarding transferring offenders must be negotiated with the department as part of any contract. Local jurisdictions must provide health care to offenders that meets standards set by the department. The local jail must provide all medical care including unexpected emergent care. The department must utilize a screening process to ensure that offenders with existing extraordinary medical/mental health needs are not transferred to local jail facilities. If extraordinary medical conditions develop

for an inmate while at a jail facility, the jail may transfer the offender back to the department, subject to terms of the negotiated agreement. Health care costs incurred prior to transfer are the responsibility of the jail.

(b) \$671,000 of the general fund—state appropriation for fiscal year 2024 ~~((and \$671,000 of the general fund state appropriation for fiscal year 2025 are))~~ is provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester.

(c) ~~(\$1,713,000)~~ \$4,270,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$146,000)~~ \$422,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(d) Within the appropriated amounts in this subsection, the department of corrections must provide a minimum of one dedicated prison rape elimination act compliance specialist at each institution.

(e) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$320,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continuing two contracted parent navigator positions. One parent navigator must be located at the Washington correction center for women and one parent navigator position must be located at the Airway Heights corrections center or another state correctional facility that houses incarcerated male individuals and is selected by the department of corrections as a more suitable fit for a parent navigator. The parent navigators must have lived experience in navigating the child welfare system. The parent navigators must provide guidance and support to incarcerated individuals towards family reunification including, but not limited to, how to access services, navigating the court system, assisting with guardianship arrangements, and facilitating visitation with their children. The goal of the parent navigator program is to assist incarcerated parents involved in dependency or child welfare cases to maintain connections with their children and to assist these individuals in successfully transitioning and reuniting with their families upon release from incarceration. As part of the parent navigation program, the department of corrections must also review and provide a report to the legislature on the effectiveness of the program that includes the number of incarcerated individuals that received assistance from the parent navigators and the type of assistance the incarcerated individuals received, and that ~~((tracked))~~ tracks the outcome of the parenting navigator program. A final report must be submitted to the legislature by September 1, 2024. Of the amounts provided in this subsection, \$20,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department's review and report on the effectiveness of the parent navigator program.

(f) \$4,504,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$4,009,000)~~ \$5,417,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement

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by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

(g) \$579,000 of the general fund—state appropriation for fiscal year 2024 and \$2,058,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training program.

(h) \$1,294,000 of the general fund—state appropriation for fiscal year 2024 and \$1,294,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services and staffing to support the iCOACH supervision model. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, health care discharge teams, and community partnership programs.

(i) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5131 (commissary funds). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(j) \$1,839,000 of the general fund—state appropriation for fiscal year 2024 and \$1,839,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5134 (reentry services & supports) to increase gate money from \$40 to \$300 at release. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(k) \$2,871,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(l) \$586,000 of the general fund—state appropriation for fiscal year 2024 and \$576,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a planning and development manager and an executive secretary in the women's prison division.

(m) \$1,817,000 of the general fund—state appropriation for fiscal year 2024 and \$3,627,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide specialized gender-affirming services, including medical and mental health services, to transgender incarcerated individuals in a manner that is consistent with the October 2023 settlement agreement in *Disability Rights Washington v. Washington Department of Corrections*, United States district court for the western district of Washington.

(n) \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$3,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of corrections to provide wages and gratuities of no less than \$1.00 per hour to incarcerated persons working in class III correctional industries.

(o) \$2,039,000 of the general fund—state appropriation for fiscal year 2024 and \$1,423,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to maintain the facility, property, and assets at the Larch corrections center in Yacolt.

(p) \$6,050,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for operational costs incurred by the department in closing the Larch corrections center in Yacolt.

(q) \$1,684,000 of the general fund—state appropriation for fiscal year 2024 and \$5,051,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to reopen and operate living unit G at the Washington

state penitentiary in Walla Walla.

(r) \$1,377,000 of the general fund—state appropriation for fiscal year 2024 and \$3,304,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to reopen and operate living units G and H at the Clallam Bay corrections center in Clallam Bay.

(s) \$1,209,000 of the general fund—state appropriation for fiscal year 2024 and \$2,074,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to reopen and operate living unit F at the coyote ridge corrections center in Connell.

(t) \$858,000 of the general fund—state appropriation for fiscal year 2024 and \$192,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a mobile dental unit vehicle and staffing that will provide dental services to each of the stand-alone minimum camps for the department.

(u) \$1,839,000 of the general fund—state appropriation for fiscal year 2024 and \$1,839,000 of the general fund—state appropriation for fiscal year 2025 are provided for direct variable costs for incarcerated individuals.

(v) \$60,000 of the general fund—state appropriation for fiscal year 2024 and \$40,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to complete a comprehensive review of all sentences (appendix b-criminal history) of all inmates in confinement as of April 1, 2024, and must identify each inmate whose juvenile points were used in calculating their current offender score. From this list, the department must:

(i) Delineate the individualized data by county and, by September 1, 2024, the department must send the list of each inmate whose juvenile points were used in calculating their current offender score to each of the impacted counties where the individual was sentenced;

(ii) Work collaboratively with the administrative office of the courts and the impacted counties to share information on any counting rules or assumptions the department used in identifying the lists by county; and

(iii) Send a copy of each county list in (v)(i) and (ii) of this subsection to the administrative office of the courts by September 1, 2024.

(w) \$2,871,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to operate body scanner programs to conduct security screenings for employees, contractors, visitors, volunteers, incarcerated individuals, and other persons entering the secure perimeters at the Washington corrections center for women and the Washington corrections center.

(x) \$117,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2099 (state custody/ID cards) for identification cards. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(y) \$155,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2048 (domestic violence/sentencing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(3) COMMUNITY SUPERVISION

General Fund—State Appropriation (FY 2024)	.....	(\$242,761,000))
		\$252,551,000
General Fund—State Appropriation (FY 2025)	.....	(\$252,147,000))
		\$259,315,000
General Fund—Federal Appropriation.....		\$4,142,000

General Fund—Private/Local Appropriation.....\$10,000
 TOTAL APPROPRIATION.....(~~\$499,050,000~~)
 \$516,018,000

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

(a) The department of corrections shall contract with local and tribal governments for jail capacity to house offenders who violate the terms of their community supervision. A contract rate increase may not exceed five percent each year. The department may negotiate to include medical care of offenders in the contract rate if medical payments conform to the department's offender health plan and pharmacy formulary, and all off-site medical expenses are preapproved by department utilization management staff. If medical care of offender is included in the contract rate, the contract rate may exceed five percent to include the cost of that service. Beginning July 1, 2024, the department shall pay the bed rate for the day of release.

(b) The department shall engage in ongoing mitigation strategies to reduce the costs associated with community supervision violators, including improvements in data collection and reporting and alternatives to short-term confinement for low-level violators.

(c) (~~(\$1,233,000)~~) \$2,880,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$88,000)~~) \$253,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to acquire and implement a sentencing calculation module for the offender management network information system and is subject to the conditions, limitations, and review requirements of section 701 of this act. This project must use one discrete organizational index across all department of corrections programs. Implementation of this sentencing calculation module must result in a reduction of tolling staff within six months of the project implementation date and the department must report this result. In addition, the report must include the budgeted and actual tolling staffing levels by fiscal month beginning with fiscal year 2023 and the count of tolling staff reduced by fiscal month from date of implementation through six months post implementation. The report must be submitted to the senate ways and means and house appropriations committees within 30 calendar days after six months post implementation.

(d) \$110,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the amend collaboration and training program.

(e) \$1,409,000 of the general fund—state appropriation for fiscal year 2024 and \$1,386,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational costs to operate the Bellingham reentry center as a state-run facility.

(f) (~~(\$1,320,000)~~) \$615,000 of the general fund—state appropriation for fiscal year 2024 and \$1,320,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational costs to operate the Helen B. Ratcliff reentry center as a state-run facility.

(g) \$18,813,000 of the general fund—state appropriation for fiscal year 2024 and \$19,027,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services and staffing to support the iCOACH supervision model. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, health care discharge teams, and community partnership programs.

(h) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation

for fiscal year 2025 are provided solely for a jail medical bed rate adjustment.

(i) \$90,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants) for data tracking, documentation, and reporting on outcomes of warrants and detainees. If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(j) \$270,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to contract with a third-party expert to examine jail rates needed by local governments to recover the cost of housing individuals under the jurisdiction of the Washington state department of corrections who have violated the conditions of their court community supervision order. The analysis must examine the availability of specialized jail beds for medical and behavioral health care that include services such as acute mental health care, detoxification, medications for opioid use disorder, and other substance use disorder treatment. The study must also include an analysis of costs to expand access to specialized jail beds statewide while maximizing medicaid coverage under Washington's section 1115 medicaid transformation waiver. The analysis must include a recommended methodology, to include detailed fiscal backup materials in Excel, to update daily jail bed rates going forward. A report is due to the governor and appropriate policy and fiscal committees of the legislature by October 1, 2024.

(4) CORRECTIONAL INDUSTRIES

General Fund—State Appropriation (FY 2024)	.....	((\$12,638,000))
		\$9,348,000
General Fund—State Appropriation (FY 2025)	.....	((\$12,836,000))
		\$9,100,000
General Fund—Federal Appropriation.....		\$600,000
General Fund—Private/Local Appropriation		\$2,634,000
TOTAL APPROPRIATION		((\$25,474,000))
		\$21,682,000

~~((The appropriations in this subsection are subject to the following conditions and limitations: \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$3,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of corrections to provide wages and gratuities of no less than \$1.00 per hour to incarcerated persons working in class III correctional industries.))~~

(5) INTERAGENCY PAYMENTS

General Fund—State Appropriation (FY 2024)	.....	((\$68,680,000))
		\$67,877,000
General Fund—State Appropriation (FY 2025)	.....	((\$64,929,000))
		\$79,185,000
Opioid Abatement Settlement Account—State		
Appropriation		\$25,000
TOTAL APPROPRIATION		((\$133,609,000))
		\$147,087,000

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

~~((b))~~ (a) \$19,000 of the general fund—state appropriation for fiscal year 2024 and \$19,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5502 (sub. use disorder treatment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((c))~~ (b) \$36,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

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(c) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6146 (tribal warrants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(d) \$36,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to operate body scanner programs to conduct security screenings for employees, contractors, visitors, volunteers, incarcerated individuals, and other persons entering the secure perimeters at the Washington corrections center for women and the Washington corrections center.

(6) OFFENDER CHANGE

General Fund—State Appropriation (FY 2024)	.....	(\$83,659,000)
		\$85,926,000
General Fund—State Appropriation (FY 2025)	.....	(\$84,659,000)
		\$90,206,000
General Fund—Federal Appropriation	.....	\$1,436,000
TOTAL APPROPRIATION	.....	(\$169,754,000)
		\$177,568,000

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

(a) The department of corrections shall use funds appropriated in this subsection (6) for programming for incarcerated individuals. The department shall develop and implement a written comprehensive plan for programming for incarcerated individuals that prioritizes programs which follow the risk-needs-responsivity model, are evidence-based, and have measurable outcomes. The department is authorized to discontinue ineffective programs and to repurpose underspent funds according to the priorities in the written plan.

(b) The department of corrections shall collaborate with the state health care authority to explore ways to utilize federal medicaid funds as a match to fund residential substance use disorder treatment-based alternative beds under RCW 9.94A.664 under the drug offender sentencing alternative program and residential substance use disorder treatment beds that serve individuals on community custody.

(c) Within existing resources, the department of corrections may provide reentry support items such as disposable cell phones, prepaid phone cards, hygiene kits, housing vouchers, and release medications associated with individuals resentenced or ordered released from confinement as a result of policies or court decisions including, but not limited to, the *State v. Blake* decision.

(d) \$11,454,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$11,454,000)~~ \$11,728,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expanded reentry investments to include, but not be limited to, transition services, preemployment testing, enhanced discharge planning, housing voucher assistance, cognitive behavioral interventions, educational programming, health care discharge teams, and community partnership programs.

~~((#))~~ (e) \$1,177,000 of the general fund—state appropriation for fiscal year 2024 and \$1,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5502 (sub. use disorder treatment) for dedicated staffing for substance use disorder assessments and for coordinated treatment care in the community at release. ~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((#))~~ (f) \$150,000 of the general fund—state appropriation for fiscal year 2024 ~~(and \$150,000 of the general fund—state appropriation for fiscal year 2025 are)~~ is provided solely for a grant to a nonprofit organization to assist fathers transitioning

from incarceration to community and family reunification. The grant recipient must have experience contracting with the department of corrections to support incarcerated individual betterment projects and contracting with the department of social and health services to provide access and visitation services.

~~((#))~~ (g) \$424,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

(h) \$424,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to operate body scanner programs to conduct security screenings for employees, contractors, visitors, volunteers, incarcerated individuals, and other persons entering the secure perimeters at the Washington corrections center for women and the Washington corrections center.

(i) \$122,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for work on reentry 2030, continued cross agency reentry collaboration, and work on the state's medicaid 1115 transformation waiver impacts to the department. By October 1, 2024, the department must report to fiscal committees of the legislature:

(i) The total spend in fiscal years 2022 and 2023 for authorized prerelease services under the medicaid 1115 transformation waiver, including but not limited to medications, laboratory services, and radiology; and

(ii) How much of each qualifying service listed in (i)(i) of this subsection would be required for reinvestment and how much would be allowable to offset existing expenditures based on federal medicaid rules for state fiscal years 2022 and 2023 if the waiver had been in place during those fiscal years.

(j) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department of corrections to contract with the T.E.A.C.H. (taking education and creating history) program to provide liberatory education, foster positive self-reflection, and offer educational courses that encourage critical thinking, self-awareness, and personal growth to incarcerated individuals in correctional facilities.

(k) \$152,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 2099 (state custody/ID cards). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(l) \$134,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2084 (construction training/DOC). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(7) HEALTH CARE SERVICES

General Fund—State Appropriation (FY 2024)	.....	(\$241,145,000)
		\$251,239,000
General Fund—State Appropriation (FY 2025)	.....	(\$245,589,000)
		\$262,391,000
General Fund—Federal Appropriation	.....	(\$3,084,000)
		\$6,720,000
General Fund—Private/Local Appropriation	.....	\$2,000
Opioid Abatement Settlement Account—State		
Appropriation	.....	\$4,458,000
TOTAL APPROPRIATION	.....	(\$489,818,000)
		\$524,810,000

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

(a) The state prison medical facilities may use funds appropriated in this subsection to purchase goods, supplies, and

services through hospital or other group purchasing organizations when it is cost effective to do so.

~~((e))~~ (b) \$842,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$1,192,000))~~ \$2,256,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for restrictive housing to reduce the use of solitary confinement by increasing correctional staffing, incorporating mental health training, and implementing change to restrictive housing environments.

~~((f))~~ (c) \$73,000 of the general fund—state appropriation for fiscal year 2024 and \$387,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the amend collaboration and training program.

~~((g))~~ (d) \$1,236,000 of the general fund—state appropriation for fiscal year 2024 and ~~(((\$1,236,000))~~ \$3,089,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reentry investments to include reentry and discharge services and staffing to support the iCOACH supervision model. The staffing and resources must provide expanded reentry and discharge services to include, but not limited to, transition services, enhanced health care discharge planning, case management, health care discharge teams, and evaluation of physical health and behavioral health.

~~((h))~~ (e) \$13,605,000 of the general fund—state appropriation for fiscal year 2024 and \$13,605,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for medical staffing in prisons for patient centered care and behavioral health care. Funding must be used to increase access to care, addiction care, and expanded screening of individuals in prison facilities to include chronic illnesses, infectious disease, diabetes, heart disease, serious mental health, and behavioral health services.

~~((i))~~ (f) \$1,612,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for chapter 160, Laws of 2022 (body scanners).

~~((j))~~ (g) \$1,115,000 of the general fund—state appropriation for fiscal year 2024 and \$1,115,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an electronic health records system solution and is subject to the conditions, limitations, and review requirements of section 701 of this act and must be in compliance with the statewide electronic health records plan that must be approved by the office of financial management and the technology services board.

~~((k))~~ (h) \$405,000 of the general fund—state appropriation for fiscal year 2024 and \$399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5768 (DOC/abortion medications). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(i) \$627,000 of the general fund—state appropriation for fiscal year 2024 and \$1,715,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide specialized gender-affirming services, including medical and mental health services, to transgender incarcerated individuals in a manner that is consistent with the October 2023 settlement agreement in *Disability Rights Washington v. Washington Department of Corrections*, United States district court for the western district of Washington.

(j) To promote the safety, health, and well-being of health care workers and to support patient quality of care, the department will continue to engage in reasonable efforts to reduce the use of overtime for licensed practical nurses, registered nurses, and certified nursing assistants.

(k) \$4,458,000 of the opioid abatement settlement account—state appropriation is provided solely for opioid treatment. Out of the amount provided in this subsection (k):

(i) \$2,700,000 of the opioid abatement settlement account—

state appropriation is provided solely for approved long-term injectable medication for the treatment of opioid use disorder of incarcerated individuals; and

(ii) Funding is provided to ensure each and every single individual transferring into the department of corrections' custody on full confinement is provided medications for opioid use disorder if they were on medications for opioid use disorder in jail or out of custody prior to their transfer to the department of corrections.

(l) \$1,612,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to operate body scanner programs to conduct security screenings for employees, contractors, visitors, volunteers, incarcerated individuals, and other persons entering the secure perimeters at the Washington corrections center for women and the Washington corrections center.

(m) \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$354,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for medical staff for the department to reopen and operate living unit G at the Washington state penitentiary in Walla Walla.

(n) \$68,000 of the general fund—state appropriation for fiscal year 2024 and \$164,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for medical staff for the department to reopen and operate living units G and H at the Clallam Bay corrections center in Clallam Bay.

(o) \$207,000 of the general fund—state appropriation for fiscal year 2024 and \$354,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for medical staff for the department to reopen and operate living unit F at the coyote ridge corrections center in Connell.

(p) \$312,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for medical staffing of the mobile dental clinic that will provide dental services to each of the stand-alone minimum camps for the department.

Sec. 224. 2023 c 475 s 224 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SERVICES FOR THE BLIND

General Fund—State Appropriation (FY 2024) (((\$7,061,000))	<u>\$7,065,000</u>
General Fund—State Appropriation (FY 2025) (((\$7,387,000))	<u>\$9,370,000</u>
General Fund—Federal Appropriation..... (((\$25,672,000))	<u>\$32,824,000</u>
General Fund—Private/Local Appropriation (((\$61,000))	<u>\$67,000</u>
TOTAL APPROPRIATION (((\$40,181,000))	<u>\$49,326,000</u>

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

(1) \$201,000 of the general fund—state appropriation for fiscal year 2024 and \$201,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of statewide services for blind or low vision youth under the age of 14.

(2) \$184,000 of the general fund—state appropriation for fiscal year 2024 and \$367,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the independent living program.

(3) \$1,820,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the renovation of the food service café located in the natural resources building.

Sec. 225. 2023 c 475 s 225 (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund—State Appropriation (FY 2024)	.....((\$33,506,000))	<u>\$29,354,000</u>
General Fund—State Appropriation (FY 2025)	.....((\$23,898,000))	<u>\$28,800,000</u>
General Fund—Federal Appropriation	((\$216,616,000))	<u>\$177,579,000</u>
General Fund—Private/Local Appropriation...	((\$38,458,000))	<u>\$38,529,000</u>
Climate Commitment Account—State Appropriation	\$404,000	
Unemployment Compensation Administration Account—		
Federal Appropriation.....	((\$270,724,000))	<u>\$309,454,000</u>
Administrative Contingency Account—State		
Appropriation.....	((\$28,741,000))	<u>\$42,652,000</u>
Employment Service Administrative Account—State		
Appropriation.....	((\$85,070,000))	<u>\$97,414,000</u>
Family and Medical Leave Insurance Account—State		
Appropriation.....	((\$158,644,000))	<u>\$160,205,000</u>
Workforce Education Investment Account—State		
Appropriation.....	((\$14,556,000))	<u>\$15,557,000</u>
Long-Term Services and Supports Trust Account—State		
Appropriation.....	((\$40,960,000))	<u>\$45,441,000</u>
TOTAL APPROPRIATION.....	((\$911,577,000))	<u>\$945,389,000</u>

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

(1) The department is directed to maximize the use of federal funds. The department must update its budget annually to align expenditures with anticipated changes in projected revenues.

(2) \$15,399,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of the long-term services and support trust program information technology project and is subject to the conditions, limitations, and review provided in section 701 of this act.

(3) Within existing resources, the department must reassess its ongoing staffing and funding needs for the paid family medical leave program and submit documentation of the updated need to the governor and appropriate committees of the legislature by September 1, 2023, and annually thereafter.

(4) Within existing resources, the department shall coordinate outreach and education to paid family and medical leave benefit recipients with a statewide family resource, referral, and linkage system that connects families with children prenatal through age five and residing in Washington state to appropriate services and community resources. This coordination shall include but is not limited to placing information about the statewide family resource, referral, and linkage system on the paid family and medical leave program web site and in printed materials, and conducting joint events.

(5) Within existing resources, the department shall report the following to the legislature and the governor by October 15, 2023, and each year thereafter:

(a) An inventory of the department's programs, services, and activities, identifying federal, state, and other funding sources for each;

(b) Federal grants received by the department, segregated by line of business or activity, for the most recent five fiscal years,

and the applicable rules;

(c) State funding available to the department, segregated by line of business or activity, for the most recent five fiscal years;

(d) A history of staffing levels by line of business or activity, identifying sources of state or federal funding, for the most recent five fiscal years;

(e) A projected spending plan for the employment services administrative account and the administrative contingency account. The spending plan must include forecasted revenues and estimated expenditures under various economic scenarios.

(6) ~~((~~\$14,510,000~~))~~ (a) \$15,510,000 of the workforce education investment account—state appropriation is provided solely for career connected learning grants as provided in RCW 28C.30.050, including sector intermediary grants and administrative expenses associated with grant administration.

(b) Within the amount provided in (a) of this subsection:

(i) Up to \$921,000 of the workforce education investment account—state appropriation may be used for the department to contract with the student achievement council to lead the career connected learning cross-agency work group and provide staffing support as required in RCW 28C.30.040.

(ii) Up to \$2,192,000 of the workforce education investment account—state appropriation may be used for technical assistance and implementation support grants associated with the career connected learning grant program as provided in RCW 28C.30.050.

(7) \$2,000,000 of the unemployment compensation administration account—federal appropriation is provided solely for the department to continue implementing the federal United States department of labor equity grant. This grant includes improving the translation of notices sent to claimants as part of their unemployment insurance claims into any of the 10 languages most frequently spoken in the state and other language, demographic, and geographic equity initiatives approved by the grantor. The department must also ensure that letters, alerts, and notices produced manually or by the department's unemployment insurance technology system are written in plainly understood language and evaluated for ease of claimant comprehension before they are approved for use.

(8) \$3,136,000 of the unemployment compensation administration account—federal appropriation is provided solely for a continuous improvement team to make customer, employer, and equity enhancements to the unemployment insurance program. If the department does not receive adequate funding from the United States department of labor to cover these costs, the department may use funding made available to the state through section 903 (d), (f), and (g) of the social security act (Reed act) in an amount not to exceed the amount provided in this subsection.

(9) \$404,000 of the climate commitment account—state appropriation is provided solely for participation on the clean energy technology work force advisory committee and collaboration on the associated report established in Second Substitute House Bill No. 1176 (climate-ready communities). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((a) \$9,323,000))~~ \$18,948,000 of the employment service administrative account—state appropriation is provided solely for the replacement of the WorkSource integrated technology platform. The replacement system must support the workforce administration statewide to ensure adoption of the United States

department of labor's integrated service delivery model and program performance requirements for the state's workforce innovation and opportunity act and other federal grants. This subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((b) \$2,290,000 of the employment services administrative account—state appropriation is provided solely for the maintenance and operation of the WorkSource integrated technology platform.))~~

(12) \$6,208,000 of the general fund—state appropriation for fiscal year 2024 and \$6,208,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the economic security for all program. The department must collect quarterly data on the number of participants that participate in the program, the costs associated with career, training, and other support services provided by category, including but not limited to, child care, housing, transportation, and car repair, and progress made towards self-sufficiency. The department must provide a report to the governor and the legislature on December 1 and June 1 of each year that includes an analysis of the program, a detailed summary of the quarterly data collected, and associated recommendations for program delivery.

(13)(a) \$5,292,000 of the employment service administrative account—state appropriation is provided to expand the economic security for all program to residents of Washington state that are over 200 percent of the federal poverty level but who demonstrate financial need for support services or assistance with training costs to either maintain or secure employment. ~~((Supports to each participant must not exceed \$5,000 per year.))~~ Unspent funds from this subsection may be used for economic security for all participants who are under 200 percent of the federal poverty level as defined in subsection (12) of this section.

(b) The department must collect quarterly data on the number of participants that participate in the program, the costs associated with career, training, and other support services provided by category, including but not limited to, child care, housing, transportation, and car repair, and progress made towards self-sufficiency. The department must provide a report to the governor and the legislature on December 1 and June 1 of each year that includes an analysis of the program, a detailed summary of the quarterly data collected, and associated recommendations for program delivery.

(c) Of the amounts in (a) of this subsection, the department may use \$146,000 each year to cover program administrative expenses.

(14) \$1,655,000 of the administrative contingency account—state appropriation is provided to increase the department's information security team to proactively address critical security vulnerabilities, audit findings, and process gaps.

(15) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for two project managers to assist with the coordination of state audits.

(16) \$1,448,000 of the general fund—state appropriation for fiscal year 2024 and \$1,448,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for business navigators at the local workforce development boards to increase employer engagement in an effort to support industry recovery and growth. Of the amounts in this subsection, the department may use \$148,000 per year to cover associated administrative expenses.

(17) \$11,895,000 of the general fund—federal appropriation is provided solely for the implementation of the quality jobs, equity strategy, and training (QUEST) grant to enhance the workforce system's ongoing efforts to support employment equity and

employment recovery from the COVID-19 pandemic. The funds are for partnership development, community outreach, business engagement, and comprehensive career and training services.

(18) \$3,264,000 of the employment services administration account—state appropriation is provided solely for the continuation of the office of agricultural and seasonal workforce services.

(19) \$3,539,000 of the long-term services and supports trust account—state appropriation is provided solely for the programs in the department's leave and care division to increase outreach to underserved communities, perform program evaluation and data management, perform necessary fiscal functions, and make customer experience enhancements.

~~((21))~~ (20) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time employee to provide casework on behalf of constituents who contact their legislators to escalate unresolved claims.

~~((22))~~ (21)(a) \$250,000 of the family and medical leave insurance account—state appropriation is provided solely for the department to contract with the University of Washington Evans school of public policy and governance to conduct a study on the impacts of the state family and medical leave program's job protection standards on equitable utilization of paid leave benefits under the program.

(b) The study shall consider the following:

(i) The rates at which paid leave benefits under chapter 50A.15 RCW are used by persons who qualify for job protection under RCW 50A.35.010 or the federal family and medical leave act;

(ii) Worker perspectives on the effects of job protection under RCW 50A.35.010 and the federal family and medical leave act on the use of paid leave benefits under chapter 50A.15 RCW; and

(iii) Employment outcomes and other impacts for persons using paid leave benefits under chapter 50A.15 RCW.

(c)(i) In conducting the study, the university must collect original data directly from workers about paid leave and job protection, including demographic information such as race, gender, income, geography, primary language, and industry or job sector.

(ii) In developing the study, the university must consult with the advisory committee under RCW 50A.05.030, including three briefings: An overview on the initial research design with an opportunity to provide feedback; a midpoint update; and final results. The university must consult with the committee regarding appropriate methods for collecting and assessing relevant data in order to protect the reliability of the study.

(d) A preliminary report, including the initial research design and available preliminary results must be submitted by December 1, 2023, and a final report by December 1, 2024, to the governor and the appropriate policy and fiscal committees of the legislature, in accordance with RCW 43.01.036.

~~((23))~~ (22) \$4,433,000 of the family and medical leave insurance account—state appropriation and \$351,000 of the unemployment compensation administration account—federal appropriation are provided solely for implementation of Substitute House Bill No. 1570 (TNC insurance programs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

~~((24))~~ (23) \$50,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Substitute House Bill No. 1458 (apprenticeship programs/UI). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

~~((25))~~ (24)(a) \$10,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((and))~~, \$11,227,000 of the general fund—state appropriation for fiscal year 2025,

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\$9,963,000 of the administrative contingency account—state appropriation, and \$4,271,000 of the employment service administrative account—state appropriation are provided solely to address a projected shortfall of federal revenue that supports the administration of the unemployment insurance program.

(b) The department must submit an initial report no later than November 1, 2023, and a subsequent report no later than November 1, 2024, to the governor and the appropriate committees of the legislature outlining how the funding in (a) of this subsection is being utilized and recommendations for long-term solutions to address future decreases in federal funding.

~~((26) \$11,976,000)~~ (25) \$7,644,000 of the general fund—state appropriation for fiscal year 2024 ((is)) and \$4,332,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to create a dedicated team of staff to process the unemployment insurance overpayment caseload backlog.

~~((27))~~ (26) \$3,389,000 of the general fund—state appropriation for fiscal year 2024 and \$4,540,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the stipend for Washington service corps members to \$26,758 per year and for one staff member to assist with program outreach. The stipend increase is for members that enter into a service year with income below 200 percent of the federal poverty level.

~~((28))~~ (27) \$794,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of Substitute Senate Bill No. 5176 (employee-owned coop UI). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(29))~~ (28) \$30,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5286 (paid leave premiums). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(30))~~ (29) \$2,896,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5586 (paid leave data). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~(31))~~ (30) \$35,000 of the employment service administrative account—state appropriation is provided solely for the department to provide research and consultation on the feasibility of replicating the unemployment insurance program for and expanding other social net programs to individuals regardless of their citizenship status.

~~((32))~~ (31) \$10,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to design a form for employer use to voluntarily report no show, no call interview data. This data shall be used to inform potential trend analysis or policy development for job search compliance.

(32) \$961,000 of the unemployment compensation administration account—federal appropriation is provided solely for implementation of House Bill No. 1975 (unemployment overpayments). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(33) \$5,655,000 of the family and medical leave insurance account—state appropriation is provided solely to increase staffing for the paid family and medical leave program to process claims and respond to customer inquiries in a timely manner.

(34) \$7,305,000 of the family and medical leave insurance account—state appropriation is provided solely for information technology staffing to complete system enhancements for any remaining statutorily required components of the paid family and medical leave program, including, but not limited to, the

establishment and collection of overpayments, crossmatching eligibility with other programs, and elective coverage for tribes.

(35) \$483,000 of the long-term services and supports trust account—state appropriation is provided solely for the department to process nonimmigrant work visa holder exemption requests for the long-term services and supports program.

(36) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to provide grants to community-based organizations to become transportation network company navigators. The navigators will assist transportation network company drivers in accessing the pilot program established in chapter 451, Laws of 2023 (TNC insurance programs) by providing outreach, language assistance, cultural competency services, education, and other supports.

(37) \$100,000 of the unemployment compensation administration account—federal appropriation is provided solely for the department to develop and deploy training to assist apprentices and apprentice advocate groups in filing claims and navigating the unemployment insurance system.

(38) \$409,000 of the family and medical leave insurance account—state appropriation is provided solely for implementation of Substitute House Bill No. 2102 (PFML benefits/health info.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(39) \$495,000 of the employment service administrative account—state appropriation is provided solely for implementation of Substitute House Bill No. 2226 (H-2A worker program data). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(40) \$51,000 of the employment service administrative account—state appropriation is provided solely to support the underground economy task force created in section 906 of this act.

(41) \$3,863,000 of the long-term services and supports trust account—state appropriation is provided solely for implementation of Substitute House Bill No. 2467 (LTSS trust access). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(42) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for North Central education service district 171 to expand industry and education partnerships in order to support emerging workforce needs through career awareness, exploration, and preparation activities for youth in Grant county.

(43) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to report how it will collect employee race and ethnicity information from employers that participate in the unemployment insurance program and employees who participate in the paid family medical leave program.

(a) The department may contract to complete the report.

(b) The department must submit a report to the legislature by June 30, 2025. The report must include accurate cost and time estimates needed to collect the race and ethnicity information from employers and employees. The department must consult with the office of equity to ensure that data collections is consistent with other efforts. The report must also include, but is not limited to, the following information:

(i) The cost and time required for the department to revise current reporting requirements to include race and ethnicity data;

(ii) The cost and time required for the department to incorporate the collection of race and ethnicity data into future reporting;

(iii) The cost and time required for the department to

incorporate the collection of race and ethnicity data into its existing information technology systems;

(iv) Recommendations on any exclusions from the requirement to report race and ethnicity data; and

(v) Any statutory changes required to collect race and ethnicity data.

(44)(a) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to convene a wage replacement program for undocumented workers work group. The work group shall convene by June 1, 2024, and must include:

(i) Three members representing immigrants' interests;

(ii) Two members representing workers' interests in unemployment, each of whom must be appointed from a list of names submitted by a recognized statewide organization of employees;

(iii) Two members representing employers' interests in unemployment, each of whom must be appointed from a list of names submitted by a recognized statewide organization of employers;

(iv) Three ex officio members, representing the state commission on African American affairs, the state commission on Hispanic affairs, and the state commission on Asian Pacific American affairs; and

(v) One ex officio member, representing the department and who will serve as the chair.

(b) The work group shall:

(i) Identify dedicated streams of revenue within the current unemployment insurance taxation model to fully fund an equitable wage replacement program for undocumented workers;

(ii) Review funding mechanisms from other states administering similar programs;

(iii) Identify funding mechanisms that do not duplicate employer contributions paid into the unemployment trust fund on behalf of undocumented workers nor increase social taxes paid for employers;

(iv) Explore the impact of identified funding mechanisms on solvency of the unemployment trust fund; and

(v) Provide a calculation of the amount of benefits that would be annually provided to undocumented workers through this program.

(c) By November 15, 2024, the department shall submit a report to the governor and related legislative committees that includes the information included in (b) of this subsection and a recommended plan of how to fully fund the program.

Sec. 226. 2023 c 475 s 226 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—GENERAL

(1)(a) The appropriations to the department of children, youth, and families in this act shall be expended for the programs and in the amounts specified in this act. Appropriations made in this act to the department of children, youth, and families shall initially be allotted as required by this act. The department shall seek approval from the office of financial management prior to transferring moneys between sections of this act except as expressly provided in this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act except as expressly provided in this act, nor shall allotment modifications permit moneys that are provided solely for a specified purpose to be used for other than that purpose. However, after May 1, 2024, unless prohibited by this act, the department may transfer general fund—state appropriations for fiscal year 2024 among programs after approval by the director of the office of financial management.

However, the department may not transfer state appropriations that are provided solely for a specified purpose except as expressly provided in (b) of this subsection.

(b) To the extent that transfers under (a) of this subsection are insufficient to fund actual expenditures in excess of fiscal year 2024 caseload forecasts and utilization assumptions in the foster care, adoption support, child protective services, working connections child care, and juvenile rehabilitation programs, the department may transfer appropriations that are provided solely for a specified purpose.

(2) The health care authority, the health benefit exchange, the department of social and health services, the department of health, the department of corrections, and the department of children, youth, and families shall work together within existing resources to establish the health and human services enterprise coalition (the coalition). The coalition, led by the health care authority, must be a multi-organization collaborative that provides strategic direction and federal funding guidance for projects that have cross-organizational or enterprise impact, including information technology projects that affect organizations within the coalition. The office of the chief information officer shall maintain a statewide perspective when collaborating with the coalition to ensure that projects are planned for in a manner that ensures the efficient use of state resources, supports the adoption of a cohesive technology and data architecture, and maximizes federal financial participation.

(3) Information technology projects or investments and proposed projects or investments impacting time capture, payroll and payment processes and systems, eligibility, case management, and authorization systems within the department are subject to technical oversight by the office of the chief information officer.

Sec. 227. 2023 c 475 s 227 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—CHILDREN AND FAMILIES SERVICES PROGRAM

General Fund—State Appropriation (FY 2024)	
.....	(\$488,869,000)
	\$488,871,000
General Fund—State Appropriation (FY 2025)	
.....	(\$500,457,000)
	\$527,084,000
General Fund—Federal Appropriation.....	(\$503,359,000)
	\$518,649,000
General Fund—Private/Local Appropriation	\$2,824,000
Opioid Abatement Settlement Account—State Appropriation	(\$2,304,000)
	\$6,807,000
TOTAL APPROPRIATION	(\$1,497,813,000)
	\$1,544,235,000

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

(1) \$748,000 of the general fund—state appropriation for fiscal year 2024 and \$748,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract for the operation of one pediatric interim care center. The center shall provide residential care for up to 13 children through two years of age. Seventy-five percent of the children served by the center must be in need of special care as a result of substance abuse by their mothers. The center shall also provide on-site training to biological, adoptive, or foster parents. The center shall provide at least three months of consultation and support to the parents accepting placement of children from the center. The center may recruit new and current foster and adoptive parents for infants served by the center. The department shall not require case

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management as a condition of the contract.

(2) \$453,000 of the general fund—state appropriation for fiscal year 2024 and \$453,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the costs of hub home foster and kinship families that provide a foster care delivery model that includes a hub home. Use of the hub home model is intended to support foster parent retention, provide support to biological families, improve child outcomes, and encourage the least restrictive community placements for children in out-of-home care.

(3) \$579,000 of the general fund—state appropriation for fiscal year 2024, \$579,000 of the general fund—state appropriation for fiscal year 2025, and \$110,000 of the general fund—federal appropriation are provided solely for a receiving care center east of the Cascade mountains.

(4) \$1,620,000 of the general fund—state appropriation for fiscal year 2024 and \$1,620,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for services provided through children's advocacy centers.

(5) In fiscal year 2024 and in fiscal year 2025, the department shall provide a tracking report for social service specialists and corresponding social services support staff to the office of financial management, and the appropriate policy and fiscal committees of the legislature. The report shall detail continued implementation of the targeted 1:18 caseload ratio standard for child and family welfare services caseload-carrying staff and targeted 1:8 caseload ratio standard for child protection services caseload carrying staff. To the extent to which the information is available, the report shall include the following information identified separately for social service specialists doing case management work, supervisory work, and administrative support staff, and identified separately by job duty or program, including but not limited to intake, child protective services investigations, child protective services family assessment response, and child and family welfare services:

(a) Total full-time equivalent employee authority, allotments and expenditures by region, office, classification, and band, and job duty or program;

(b) Vacancy rates by region, office, and classification and band; and

(c) Average length of employment with the department, and when applicable, the date of exit for staff exiting employment with the department by region, office, classification and band, and job duty or program.

(6) \$94,000 of the general fund—state appropriation for fiscal year 2024 and \$94,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a child advocacy center in Spokane to provide continuum of care services for children who have experienced abuse or neglect and their families.

(7)(a) \$999,000 of the general fund—state appropriation for fiscal year 2024, \$1,000,000 of the general fund—state appropriation for fiscal year 2025, \$656,000 of the general fund—private/local appropriation, and \$252,000 of the general fund—federal appropriation are provided solely for a contract with an educational advocacy provider with expertise in foster care educational outreach. The amounts in this subsection are provided solely for contracted education coordinators to assist foster children in succeeding in K-12 and higher education systems and to assure a focus on education during the department's transition to performance-based contracts. Funding must be prioritized to regions with high numbers of foster care youth, regions where backlogs of youth that have formerly requested educational outreach services exist, or youth with high educational needs. The department is encouraged to use private matching funds to

maintain educational advocacy services.

(b) The department shall contract with the office of the superintendent of public instruction, which in turn shall contract with a nongovernmental entity or entities to provide educational advocacy services pursuant to RCW 28A.300.590.

(8) For purposes of meeting the state's maintenance of effort for the state supplemental payment program, the department of children, youth, and families shall track and report to the department of social and health services the monthly state supplemental payment amounts attributable to foster care children who meet eligibility requirements specified in the state supplemental payment state plan. Such expenditures must equal at least \$3,100,000 annually and may not be claimed toward any other federal maintenance of effort requirement. Annual state supplemental payment expenditure targets must continue to be established by the department of social and health services. Attributable amounts must be communicated by the department of children, youth, and families to the department of social and health services on a monthly basis.

(9) \$197,000 of the general fund—state appropriation for fiscal year 2024 and \$197,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to conduct biennial inspections and certifications of facilities, both overnight and day shelters, that serve those who are under 18 years old and are homeless.

(10)(a) \$6,195,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$6,195,000)~~) \$8,981,000 of the general fund—state appropriation for fiscal year 2025, and \$1,188,000 of the general fund—federal appropriation are provided solely for the department to operate emergent placement and enhanced emergent placement contracts.

(b) The department shall not include the costs to operate emergent placement contracts in the calculations for family foster home maintenance payments and shall submit as part of the budget submittal documentation required by RCW 43.88.030 any costs associated with increases in the number of emergent placement contract beds after the effective date of this section that cannot be sustained within existing appropriations.

(11) Beginning January 1, 2024, and continuing through the 2023-2025 fiscal biennium, the department must provide semiannual reports to the governor and appropriate legislative committees that includes the number of in-state behavioral rehabilitation services providers and licensed beds, the number of out-of-state behavioral rehabilitation services placements, and a comparison of these numbers to the same metrics expressed as an average over the prior six months. The report shall identify separately beds with the enhanced behavioral rehabilitation services rate. Effective January 1, 2024, and to the extent the information is available, the report shall include the same information for emergency placement services beds and enhanced emergency placement services beds.

(12) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing the supportive visitation model that utilizes trained visit navigators to provide a structured and positive visitation experience for children and their parents.

(13) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for enhanced adoption placement services for legally free children in state custody, through a partnership with a national nonprofit organization with private matching funds. These funds must supplement, but not supplant, the work of the department to secure permanent adoptive homes for children with high needs.

(14) The department of children, youth, and families shall make foster care maintenance payments to programs where children are placed with a parent in a residential program for substance abuse treatment. These maintenance payments are considered foster care maintenance payments for purposes of forecasting and budgeting at maintenance level as required by RCW 43.88.058.

(15) \$511,000 of the general fund—state appropriation for fiscal year 2024, \$511,000 of the general fund—state appropriation for fiscal year 2025, and \$306,000 of the general fund—federal appropriation are provided solely for continued implementation of chapter 210, Laws of 2021 (2SHB 1219) (youth counsel/dependency).

(16) If the department receives an allocation of federal funding through an unanticipated receipt, the department shall not expend more than what was approved or for another purpose than what was approved by the governor through the unanticipated receipt process pursuant to RCW 43.79.280.

(17) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with one or more nonprofit, nongovernmental organizations to purchase and deliver concrete goods to low-income families.

(18) \$2,400,000 of the general fund—state appropriation for fiscal year 2024 and \$2,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of performance-based contracts for family support and related services pursuant to RCW 74.13B.020.

(19) The department will only refer child welfare cases to the department of social and health services division of child support enforcement when the court has found a child to have been abandoned by their parent or guardian as defined in RCW 13.34.030.

(20) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of SafeCare, an evidence-based parenting program, for families in Grays Harbor county.

(21) \$7,685,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$8,354,000)~~) \$11,329,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$2,682,000)~~) \$3,326,000 of the general fund—federal appropriation are provided solely for the phase-in of the settlement agreement under *D.S. et al. v. Department of Children, Youth and Families et al.*, United States district court for the western district of Washington, cause no. 2:21-cv-00113-BJR. The department must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to the emerging adulthood housing program, professional therapeutic foster care, statewide hub home model, revised licensing standards, family group planning, referrals and transition, qualified residential treatment program, and monitoring and implementation. To comply with the settlement agreement, funding in this subsection is provided as follows:

(a) \$276,000 of the general fund—state appropriation for fiscal year 2024, \$264,000 of the general fund—state appropriation for fiscal year 2025, and \$104,000 of the general fund—federal appropriation are provided solely for implementation and monitoring of the state's implementation plan, which includes receiving recurring updates, requesting data on compliance, reporting on progress, and resolving disputes that may arise.

(b) \$2,022,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$2,432,000)~~) \$2,682,000 of the general fund—state appropriation for fiscal year 2025, and \$42,000 of the

general fund—federal appropriation are provided solely for the statewide hub home model. The department shall develop and adapt the existing hub home model to serve youth as described in the settlement agreement.

(c) \$452,000 of the general fund—state appropriation for fiscal year 2024, \$864,000 of the general fund—state appropriation for fiscal year 2025, and \$334,000 of the general fund—federal appropriation are provided solely for the department to establish a negotiated rule-making method to align and update foster care and group care licensing standards.

(d) \$2,195,000 of the general fund—state appropriation for fiscal year 2024, \$2,110,000 of the general fund—state appropriation for fiscal year 2025, and \$238,000 of the general fund—federal appropriation are provided solely for revised referral and transition procedures for youth entering foster care.

(e) \$1,868,000 of the general fund—state appropriation for fiscal year 2024, \$1,852,000 of the general fund—state appropriation for fiscal year 2025, and \$1,543,000 of the general fund—federal appropriation are provided solely for the department to develop and implement a professional therapeutic foster care contract and licensing category. Therapeutic foster care professionals are not required to have another source of income and must receive specialized training and support.

(f) \$872,000 of the general fund—state appropriation for fiscal year 2024, \$832,000 of the general fund—state appropriation for fiscal year 2025, and \$421,000 of the general fund—federal appropriation are provided solely to update assessment and placement procedures prior to placing a youth in a qualified residential treatment program, as well as updating the assessment schedule to every 90 days.

(g) \$2,725,000 of the general fund—state appropriation for fiscal year 2025 and \$644,000 of the general fund—federal appropriation are provided solely for family team decision making and shared planning meetings as informed by attachment a—stakeholder facilitator and process description.

(h) The department shall implement all provisions of the settlement agreement, including those described in (a) through (f) of this subsection; revisions to shared planning meeting and family team decision-making policies and practices; and any and all additional settlement agreement requirements and timelines established.

(22) (~~(\$8,919,000)~~) \$7,379,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$19,521,000)~~) \$26,325,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$6,595,000)~~) \$7,195,000 of the general fund—federal appropriation are provided solely for implementation of a seven-level foster care support system. Of the amounts provided in this subsection:

(a) \$5,527,000 of the general fund—state appropriation for fiscal year 2024, \$11,054,000 of the general fund—state appropriation for fiscal year 2025, and \$5,284,000 of the general fund—federal appropriation are provided solely to expand foster care maintenance payments from a four-level to a seven-level support system, beginning January 1, 2024.

(b) (~~(\$2,572,000)~~) \$1,032,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$7,717,000)~~) \$14,521,000 of the general fund—state appropriation for fiscal year 2025, and (~~(\$1,173,000)~~) \$1,773,000 of the general fund—federal appropriation are provided solely for expanded caregiver support services. Services include, but are not limited to, placement, case aide, and after-hours support, as well as training, coaching, child care, and respite coordination.

(c) \$573,000 of the general fund—state appropriation for fiscal year 2024 and \$566,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for project management to oversee the shift in systems and practices.

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(d) \$247,000 of the general fund—state appropriation for fiscal year 2024, \$184,000 of the general fund—state appropriation for fiscal year 2025, and \$138,000 of the general fund—federal appropriation are provided solely for a contract with the department of social and health services research and data analysis division to track program outcomes through monitoring and analytics.

(23) \$732,000 of the general fund—state appropriation for fiscal year 2024, \$732,000 of the general fund—state appropriation for fiscal year 2025, and \$362,000 of the general fund—federal appropriation are provided solely to increase staff to support statewide implementation of the kinship caregiver engagement unit.

(24) ~~(\$7,332,000)~~ \$2,113,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$7,332,000)~~ \$4,119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to issue foster care maintenance payments for up to 90 days to those kinship caregivers who obtain an initial license.

(25) \$6,696,000 of the general fund—state appropriation for fiscal year 2024, \$6,696,000 of the general fund—state appropriation for fiscal year 2025, and \$2,940,000 of the general fund—federal appropriation are provided solely for contracted visitation services for children in temporary out-of-home care. Funding is provided to reimburse providers for certain uncompensated services, which may include work associated with missed or canceled visits.

(26) \$4,104,000 of the general fund—state appropriation for fiscal year 2024 and \$5,589,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to expand combined in-home services to serve more families. By December 1, 2023, and annually thereafter, the department shall provide a report to the legislature detailing combined in-home services expenditures and utilization, including the number of families served and a listing of services received by those families.

(27) \$892,000 of the general fund—state appropriation for fiscal year 2024, \$892,000 of the general fund—state appropriation for fiscal year 2025, and \$796,000 of the general fund—federal appropriation are provided solely for increased licensing staff. Licensing staff are increased in anticipation that more kinship placements will become licensed due to recent legislation and court decisions, including *In re Dependency of K.W.* and chapter 211, Laws of 2021 (E2SHB 1227) (child abuse or neglect).

(28) \$755,000 of the general fund—state appropriation for fiscal year 2024 and \$2,014,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5124 (nonrelative kin placement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$338,000 of the general fund—state appropriation for fiscal year 2024, \$317,000 of the general fund—state appropriation for fiscal year 2025, and \$54,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$851,000 of the general fund—state appropriation for fiscal year 2024, \$2,412,000 of the general fund—state appropriation for fiscal year 2025, and \$108,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5683 (foster care/Indian children). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(31) \$2,304,000 of the opioid abatement settlement account—

state appropriation is for implementation of Engrossed Second Substitute Senate Bill No. 5536 (controlled substances).

(32) \$375,000 of the general fund—state appropriation for fiscal year 2024, \$375,000 of the general fund—state appropriation for fiscal year 2025, and \$112,000 of the general fund—federal appropriation are provided solely for the department to develop, implement, and expand strategies to improve the capacity, reliability, and effectiveness of contracted visitation services for children in temporary out-of-home care and their parents and siblings. Strategies may include, but are not limited to, increasing mileage reimbursement for providers, offering transportation-only contract options, and mechanisms to reduce the level of parent-child supervision when doing so is in the best interest of the child. The department shall report to the office of financial management and the relevant fiscal and policy committees of the legislature regarding these strategies by September 1, 2023. The report shall include the number and percentage of parents requiring supervised visitation and the number and percentage of parents with unsupervised visitation, prior to reunification.

(33) \$499,000 of the general fund—state appropriation for fiscal year 2024, \$499,000 of the general fund—state appropriation for fiscal year 2025, and \$310,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1204 (family connections program), which will support the family connections program in areas of the state in which the program is already established. To operate the program, the department must contract with a community-based organization that has experience working with the foster care population and administering the family connections program. ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(34) \$2,020,000 of the general fund—state appropriation for fiscal year 2024, \$1,894,000 of the general fund—state appropriation for fiscal year 2025, and \$1,247,000 of the general fund—federal appropriation are provided solely to increase the basic foster care maintenance rate for all age groups and the supervised independent living subsidy for youth in extended foster care each by \$50 per youth per month effective July 1, 2023.

(35) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a Bellevue-based nonprofit organization to support the continuation of its home visiting services for children ages three through five years old who are in the child welfare system. The nonprofit organization must provide educational and therapeutic services for children with developmental delays, disabilities, and behavioral needs.

(36) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a Washington state mentoring organization to provide oversight and training for a pilot program that mentors foster youth. The goal of the program is to improve outcomes for youth in foster care by surrounding them with ongoing support from a caring adult mentor. Under the program, mentors provide a positive role model and develop a trusted relationship that helps the young person build self-confidence, explore career opportunities, access their own resourcefulness, and work to realize their fullest potential. The organization shall serve as the program administrator to provide grants to nonprofit organizations based in Washington state that meet department approved criteria specific to mentoring foster youth. Eligible

grantees must have programs that currently provide mentoring services within the state and can provide mentors who provide one-to-one services to foster youth, or a maximum ratio of one mentor to three youth.

~~((36))~~ (37) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$1,400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization in Spokane that has experience administering a family-centered drug treatment and housing program for families experiencing substance use disorder. The amount provided in this subsection is intended to support the existing program while the department works to develop a sustainable model of the program and expand to new regions of the state.

~~((37))~~ (38) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to lead the development of a sustainable operating funding model for programs using the rising strong model that provides comprehensive, family-centered drug treatment and housing services to keep families together while receiving treatment and support. The department shall work in coordination with the health care authority, the department of commerce, other local agencies, and stakeholders on development of the model. The department shall submit the sustainable operating model to the appropriate committees of the legislature by July 1, 2024.

~~((38))~~ (39) \$107,000 of the general fund—state appropriation for fiscal year 2024, \$102,000 of the general fund—state appropriation for fiscal year 2025, and \$50,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(39))~~ (40) \$269,000 of the general fund—state appropriation for fiscal year 2024 and \$269,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase the new foster home incentive payment for child-placing agencies to \$1,000 for each new foster home certified for licensure, effective July 1, 2023.

(41) \$1,484,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to fund a memorandum of understanding to be negotiated between the Washington federation of state employees and the department of children, youth, and families, which provides for group A assignment pay for reference 77B for SSS2s in-training on a one-time basis beginning July 1, 2024.

(42)(a) \$3,153,000 of the opioid abatement settlement account—state appropriation and \$337,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(b) Of the amounts provided in (a) of this subsection:

(i) \$1,515,000 of the opioid abatement settlement account—state appropriation is provided solely for a pilot program to include third-party safety plan participants and public health nurses in child protective services safety planning.

(ii) \$574,000 of the opioid abatement settlement account—state appropriation and \$301,000 of the general fund—federal appropriation are provided solely for at least one legal liaison position in each region to work with both the department and the office of the attorney general for the purpose of assisting with the preparation of child abuse and neglect court cases.

(iii) \$972,000 of the opioid abatement settlement account—state appropriation is provided solely for two pilot programs to implement an evidence-based, comprehensive, intensive, in-home parenting services support model to serve children and

families from birth to age 18 who are involved in the child welfare, children's mental health, or juvenile justice systems.

(43) \$1,350,000 of the opioid abatement settlement account—state appropriation is provided solely for the department to establish a pilot for public health nurses, including contracts for up to eight public health nurses distributed by case count across the regions to support caseworkers in engaging and communicating with families about the risks of fentanyl and child health and safety practices.

(44) The department shall collaborate with the department of social and health services to identify, place, and assist in the voluntary transition of adolescents aged 13 and older who have complex developmental, intellectual disabilities, or autism spectrum disorder, alongside potential mental health or substance use diagnoses, into a leased facility for specialized residential treatment at Lake Burien operated by the department of social and health. The partnership is dedicated to transitioning individuals to community-based settings in a seamless and voluntary manner that emphasizes care in less restrictive community-based environments.

(45) \$694,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract for two receiving centers as established in RCW 7.68.380, that serve youth who are, or are at risk of being, commercially or sexually exploited. One receiving center shall be located on the west side of the state, and one receiving center shall be located on the east side of the state.

(46) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to support families attending the annual caregivers conference in 2024. The conference must provide an opportunity for kinship families, foster parents, prelicensed foster parents, and adoptive families to gather for education, support, and family building experiences.

(47) \$18,000 of the general fund—state appropriation for fiscal year 2024, \$86,000 of the general fund—state appropriation for fiscal year 2025, and \$64,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1970 (DCYF-caregiver communication). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(48) \$60,000 of the general fund—state appropriation for fiscal year 2025 and \$14,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1205 (publication of notice). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(49) \$1,750,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to increase the rates paid to family preservation services providers, effective July 1, 2024.

(50) \$900,000 of the general fund—state appropriation for fiscal year 2025 and \$231,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5908 (extended foster care). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(51) \$333,000 of the general fund—state appropriation for fiscal year 2025 and \$76,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute Senate Bill No. 6006 (victims of human trafficking). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

Sec. 228. 2023 c 475 s 228 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—JUVENILE REHABILITATION PROGRAM

SIXTIETH DAY, MARCH 7, 2024

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General Fund—State Appropriation	(FY 2024)	
		<u>(\$140,231,000)</u>
		<u>\$152,459,000</u>
General Fund—State Appropriation	(FY 2025)	
		<u>(\$143,975,000)</u>
		<u>\$154,077,000</u>
General Fund—Federal Appropriation		\$694,000
General Fund—Private/Local Appropriation		\$205,000
Washington Auto Theft Prevention Authority Account—		
State Appropriation		\$196,000
TOTAL APPROPRIATION		<u>(\$285,301,000)</u>
		<u>\$307,631,000</u>

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

(1) \$2,841,000 of the general fund—state appropriation for fiscal year 2024 and \$2,841,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to county juvenile courts for effective, community-based programs that are culturally relevant, research-informed, and focused on supporting positive youth development, not just reducing recidivism. Additional funding for this purpose is provided through an interagency agreement with the health care authority. County juvenile courts shall apply to the department of children, youth, and families for funding for program-specific participation and the department shall provide grants to the courts consistent with the per-participant treatment costs identified by the institute. The block grant oversight committee, in consultation with the Washington state institute for public policy, shall identify effective, community-based programs that are culturally relevant, research-informed, and focused on supporting positive youth development to receive funding.

(2) \$1,537,000 of the general fund—state appropriation for fiscal year 2024 and \$1,537,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expansion of the juvenile justice treatments and therapies in department of children, youth, and families programs identified by the Washington state institute for public policy in its report: "Inventory of Evidence-based, Research-based, and Promising Practices for Prevention and Intervention Services for Children and Juveniles in the Child Welfare, Juvenile Justice, and Mental Health Systems." The department may concentrate delivery of these treatments and therapies at a limited number of programs to deliver the treatments in a cost-effective manner.

(3)(a) ~~(\$6,198,000)~~ \$6,698,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$6,198,000)~~ \$6,698,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement evidence- and research-based programs through community juvenile accountability grants, administration of the grants, and evaluations of programs funded by the grants. In addition to funding provided in this subsection, funding to implement alcohol and substance abuse treatment programs for locally committed offenders is provided through an interagency agreement with the health care authority.

(b) The department of children, youth, and families shall administer a block grant to county juvenile courts for the purpose of serving youth as defined in RCW 13.40.510(4)(a) in the county juvenile justice system. Funds dedicated to the block grant include: Consolidated juvenile service funds, community juvenile accountability act grants, chemical dependency/mental health disposition alternative, and suspended disposition alternative. The department of children, youth, and families shall follow the following formula and must prioritize evidence-based programs and disposition alternatives and take into account juvenile courts program-eligible youth in conjunction with the number of youth served in each approved evidence-based program or disposition

alternative: (i) Thirty-seven and one-half percent for the at-risk population of youth ten to seventeen years old; (ii) fifteen percent for the assessment of low, moderate, and high-risk youth; (iii) twenty-five percent for evidence-based program participation; (iv) seventeen and one-half percent for minority populations; (v) three percent for the chemical dependency and mental health disposition alternative; and (vi) two percent for the suspended dispositional alternatives. Funding for the special sex offender disposition alternative shall not be included in the block grant, but allocated on the average daily population in juvenile courts. Funding for the evidence-based expansion grants shall be excluded from the block grant formula. Funds may be used for promising practices when approved by the department of children, youth, and families and juvenile courts, through the community juvenile accountability act committee, based on the criteria established in consultation with Washington state institute for public policy and the juvenile courts.

(c) The department of children, youth, and families and the juvenile courts shall establish a block grant funding formula oversight committee with equal representation from the department of children, youth, and families and the juvenile courts. The purpose of this committee is to assess the ongoing implementation of the block grant funding formula, utilizing data-driven decision making and the most current available information. The committee will be co-chaired by the department of children, youth, and families and the juvenile courts, who will also have the ability to change members of the committee as needed to achieve its purpose. The committee may make changes to the formula categories in (b) of this subsection if it determines the changes will increase statewide service delivery or effectiveness of evidence-based program or disposition alternative resulting in increased cost/benefit savings to the state, including long-term cost/benefit savings. The committee must also consider these outcomes in determining when evidence-based expansion or special sex offender disposition alternative funds should be included in the block grant or left separate.

(d) The juvenile courts and administrative office of the courts must collect and distribute information and provide access to the data systems to the department of children, youth, and families and the Washington state institute for public policy related to program and outcome data. The department of children, youth, and families and the juvenile courts must work collaboratively to develop program outcomes that reinforce the greatest cost/benefit to the state in the implementation of evidence-based practices and disposition alternatives.

(4) \$645,000 of the general fund—state appropriation for fiscal year 2024 and \$645,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for funding of the teamchild project.

(5) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant program focused on criminal street gang prevention and intervention. The department of children, youth, and families may award grants under this subsection. The department of children, youth, and families shall give priority to applicants who have demonstrated the greatest problems with criminal street gangs. Applicants composed of, at a minimum, one or more local governmental entities and one or more nonprofit, nongovernmental organizations that have a documented history of creating and administering effective criminal street gang prevention and intervention programs may apply for funding under this subsection. Each entity receiving funds must report to the department of children, youth, and families on the number and types of youth served, the services provided, and the impact of

those services on the youth and the community.

(6) The juvenile rehabilitation institutions may use funding appropriated in this subsection to purchase goods, supplies, and services through hospital group purchasing organizations when it is cost-effective to do so.

(7) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to county juvenile courts to establish alternative detention facilities similar to the proctor house model in Jefferson county, Washington, that will provide less restrictive confinement alternatives to youth in their local communities. County juvenile courts shall apply to the department of children, youth, and families for funding and each entity receiving funds must report to the department on the number and types of youth serviced, the services provided, and the impact of those services on the youth and the community.

(8) \$432,000 of the general fund—state appropriation for fiscal year 2024 and \$432,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide housing services to clients releasing from incarceration into the community.

(9)(a) \$878,000 of the general fund—state appropriation for fiscal year 2024 and \$879,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 206, Laws of 2021 (concerning juvenile rehabilitation community transition services).

(b) Of the amounts provided in (a) of this subsection, \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing vouchers.

(10) \$123,000 of the general fund—state appropriation for fiscal year 2024 and \$123,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 265, Laws of 2021 (supporting successful reentry).

(11) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a credible messenger mentorship organization located in Kitsap county to provide peer counseling, peer support services, and mentorship for at-risk youth and families.

(12) \$1,791,000 of the general fund—state appropriation for fiscal year 2024 and \$1,754,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintenance of the facility, property, and assets at the facility formerly known as the Naselle youth camp in Naselle. The department of children, youth, and families must enter into an interagency agreement with the department of social and health services for the management and warm closure maintenance of the Naselle youth camp facility and grounds during the 2023-2025 fiscal biennium.

(13)(a) \$140,000 of the general fund—state appropriation for fiscal year 2024 and \$140,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1394 (sexual offenses by youth). ~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~

(b) The department of children, youth, and families—juvenile rehabilitation shall develop and implement a grant program that allows defense attorneys and counties to apply for funding for sex offender evaluation and treatment programs. The department shall provide funding to counties for: (a) Process mapping, site assessment, and training for additional sex offender treatment modalities such as multisystemic therapy-problem sexual behavior or problematic sexual behavior-cognitive behavioral therapy; and (b) for any evaluation and preadjudication treatment

costs which are not covered by the court.

(14) \$2,436,000 of the general fund—state appropriation for fiscal year 2024 and \$2,206,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a dedicated institutional educational oversight and accountability team and 12 staff to provide a transition team at both green hill and echo glen that will serve as an education engagement team at the facility and will also coordinate and engage with community enrichment programs and community organizations to afford more successful transitions.

(15) \$505,000 of the general fund—state appropriation for fiscal year 2024 and \$505,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracted services for housing for youth exiting juvenile rehabilitation facilities.

(16) ~~(\$3,306,000)~~ \$2,958,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$8,732,000)~~ \$11,436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for caseload costs and staffing. Of the amount provided in this subsection: ~~(\$1,752,000)~~ \$690,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$2,428,000)~~ \$2,055,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing necessary to operate the baker cottage north living unit at green hill school that is anticipated to be operational by ~~(February)~~ May 1, 2024.

(17) \$967,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to purchase body scanners, one for Echo Glen children's center, and two for Green Hill school, to comply with chapter 246-230 WAC (security screening systems).

(18) \$7,774,000 of the general fund—state appropriation for fiscal year 2024 and \$10,160,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for enhanced security services at the Echo Glen children's center.

(19) \$68,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute Senate Bill No. 6006 (victims of human trafficking). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(20) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a nonprofit entity doing statewide gender-responsive, race equity training and girls' advocacy programming in the juvenile rehabilitation system. The entity must provide:

(a) Girl-centered, antibias training for adults working with girls;

(b) Youth stipends for girls involved in advocacy programming; and

(c) Program facilitation for girls in the continuum of the juvenile rehabilitation system.

Sec. 229. 2023 c 475 s 229 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—EARLY LEARNING PROGRAM

General Fund—State Appropriation (FY 2024)	(((\$576,454,000))
	<u>\$586,784,000</u>
General Fund—State Appropriation (FY 2025)	(((\$699,147,000))
	<u>\$756,322,000</u>
General Fund—Federal Appropriation.....	(((\$25,447,000))
	<u>\$660,817,000</u>
General Fund—Private/Local Appropriation	\$104,000
Education Legacy Trust Account—State Appropriation	(((\$385,965,000))

	<u>\$385,401,000</u>
Home Visiting Services Account—State	Appropriation
.....	((\$35,809,000))
	<u>\$35,794,000</u>
Home Visiting Services Account—Federal	Appropriation
.....	((\$36,417,000))
	<u>\$37,256,000</u>
<u>Opioid Abatement Settlement Account—State</u>	
<u>Appropriation</u>	<u>\$3,179,000</u>
Washington Opportunity Pathways Account—State	
Appropriation.....	\$80,000,000
Workforce Education Investment Account—State	
Appropriation.....	\$22,764,000
TOTAL APPROPRIATION.....	((\$2,362,107,000))
	<u>\$2,568,421,000</u>

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

(1)(a) ((~~\$123,623,000~~)) \$132,698,000 of the general fund—state appropriation for fiscal year 2024, ((~~\$148,314,000~~)) \$156,585,000 of the general fund—state appropriation for fiscal year 2025, \$91,810,000 of the education legacy trust account—state appropriation, and \$80,000,000 of the opportunity pathways account—state appropriation are provided solely for the early childhood education and assistance program. These amounts shall support at least 16,778 slots in fiscal year 2024 and 17,278 slots in fiscal year 2025. Of the total slots in each fiscal year, 100 slots must be reserved for foster children to receive school-year-round enrollment.

(b) Of the amounts provided in (a) of this subsection:

(i) \$23,647,000 of the general fund—state appropriation for fiscal year 2024 and \$26,412,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a slot rate increase of 18 percent for full day slots, a 9 percent increase for extended day slots, and a 7 percent increase for part day slots, beginning July 1, 2023.

(ii) \$8,271,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a rate increase of 5 percent for full day slots and 9 percent for extended day slots, beginning July 1, 2024.

(iii) \$9,862,000 of the general fund—state appropriation for fiscal year 2024 and \$9,862,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to convert 1,000 part day slots to full day slots, and to increase full day slots by 500, beginning in fiscal year 2024.

((~~(iii)~~)) (iv) \$9,862,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to convert 1,000 part day slots to full day slots(+) and to increase full day slots by 500, beginning in fiscal year 2025.

(c) Of the amounts provided in (a) of this subsection, \$2,509,000 of the general fund—state appropriation for fiscal year 2024 and \$3,278,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase complex needs grant funds for the early childhood education and assistance program.

(d) The department of children, youth, and families must develop a methodology to identify, at the school district level, the geographic locations of where early childhood education and assistance program slots are needed to meet the entitlement specified in RCW 43.216.556. This methodology must be linked to the caseload forecast produced by the caseload forecast council and must include estimates of the number of slots needed at each school district and the corresponding facility needs required to meet the entitlement in accordance with RCW 43.216.556. This methodology must be included as part of the budget submittal documentation required by RCW 43.88.030.

(2) The department is the lead agency for and recipient of the federal child care and development fund grant. Amounts within this grant shall be used to fund child care licensing, quality initiatives, agency administration, and other costs associated with child care subsidies.

(3) The department of children, youth, and families shall work in collaboration with the department of social and health services to determine the appropriate amount of state expenditures for the working connections child care program to claim towards the state's maintenance of effort for the temporary assistance for needy families program. The departments will also collaborate to track the average monthly child care subsidy caseload and expenditures by fund type, including child care development fund, general fund—state appropriation, and temporary assistance for needy families for the purpose of estimating the annual temporary assistance for needy families reimbursement from the department of social and health services to the department of children, youth, and families. Effective December 1, 2023, and annually thereafter, the department of children, youth, and families must report to the governor and the appropriate fiscal and policy committees of the legislature the total state contribution for the working connections child care program claimed the previous fiscal year towards the state's maintenance of effort for the temporary assistance for needy families program and the total temporary assistance for needy families reimbursement from the department of social and health services for the previous fiscal year.

(4)(a) ((~~\$144,632,000~~)) \$145,852,000 of the general fund—state appropriation for fiscal year 2024, \$208,181,000 of the general fund—state appropriation for fiscal year 2025, \$56,400,000 of the general fund—federal appropriation, and ((~~\$51,500,000~~)) \$99,100,000 of the general fund—federal appropriation (ARPA) are provided solely for enhancements to the working connections child care program.

(b) Of the amounts provided in (a) of this subsection:

(i) \$47,637,000 of the general fund—state appropriation for fiscal year 2024, \$87,556,000 of the general fund—state appropriation for fiscal year 2025, \$36,249,000 of the general fund—federal appropriation, and \$33,085,000 of the general fund—federal appropriation (ARPA) are provided solely to increase subsidy base rates to the 85th percentile of market based on the 2021 market rate survey for child care centers.

(ii) ((~~\$96,995,000~~)) \$98,215,000 of the general fund—state appropriation for fiscal year 2024, \$120,625,000 of the general fund—state appropriation for fiscal year 2025, \$20,151,000 of the general fund—federal appropriation, and \$18,415,000 of the general fund—federal appropriation (ARPA) are provided solely to implement the 2023-2025 collective bargaining agreement covering family child care providers as provided in section 907 of this act. Of the amounts provided in this subsection:

(A) \$8,263,000 of the general fund—state appropriation for fiscal year 2024 and \$9,793,000 of the general fund—state appropriation for fiscal year 2025 are for an 85 cent per hour per child rate increase for family, friends, and neighbor providers (FFNs) beginning July 1, 2023, and a 15 cent per hour per child rate increase beginning July 1, 2024.

(B) \$26,515,000 of the general fund—state appropriation for fiscal year 2024, \$48,615,000 of the general fund—state appropriation for fiscal year 2025, \$20,151,000 of the general fund—federal appropriation, and \$18,415,000 of the general fund—federal appropriation (ARPA) are provided to increase subsidy base rates to the 85th percentile of market based on the 2021 market rate survey.

(C) \$370,000 of the general fund—state appropriation for fiscal year 2024 and \$370,000 of the general fund—state appropriation

for fiscal year 2025 are provided solely for the department to pay the background check application and fingerprint processing fees.

(D) (~~(\$61,847,000)~~) \$63,067,000 of the general fund—state appropriation for fiscal year 2024 and \$61,847,000 of the general fund—state appropriation for fiscal year 2025 are for a cost of care rate enhancement.

(c) Funding in this subsection must be expended with internal controls that provide child-level detail for all transactions, beginning July 1, 2024.

(d) On July 1, 2023, and July 1, 2024, the department, in collaboration with the department of social and health services, must report to the governor and the appropriate fiscal and policy committees of the legislature on the status of overpayments in the working connections child care program. The report must include the following information for the previous fiscal year:

- (i) A summary of the number of overpayments that occurred;
- (ii) The reason for each overpayment;
- (iii) The total cost of overpayments;
- (iv) A comparison to overpayments that occurred in the past two preceding fiscal years; and

(v) Any planned modifications to internal processes that will take place in the coming fiscal year to further reduce the occurrence of overpayments.

(e) Within available amounts, the department in consultation with the office of financial management shall report enrollments and active caseload for the working connections child care program to the governor and the legislative fiscal committees and the legislative-executive WorkFirst poverty reduction oversight task force on an agreed upon schedule. The report shall also identify the number of cases participating in both temporary assistance for needy families and working connections child care. The department must also report on the number of children served through contracted slots.

(5) \$2,362,000 of the general fund—state appropriation for fiscal year 2024 (~~and~~), \$2,362,000 of the general fund—state appropriation for fiscal year 2025, and \$772,000 of the general fund—federal appropriation are provided solely to increase the nonstandard hours bonus to:

- (a) \$135 per child per month, beginning July 1, 2023; and
- (b) \$150 per child per month, beginning July 1, 2024.

(6) \$22,764,000 of the workforce education investment account—state appropriation is provided solely for the working connections child care program under RCW 43.216.135.

(7) \$353,402,000 of the general fund—federal appropriation is reimbursed by the department of social and health services to the department of children, youth, and families for qualifying expenditures of the working connections child care program under RCW 43.216.135.

(8) \$1,560,000 of the general fund—state appropriation for fiscal year 2024, \$1,560,000 of the general fund—state appropriation for fiscal year 2025, and \$6,701,000 of the general fund—federal appropriation are provided solely for the seasonal child care program.

(9) \$871,000 of the general fund—state appropriation for fiscal year 2024 and \$871,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department of children, youth, and families to contract with a countywide nonprofit organization with early childhood expertise in Pierce county for a project to prevent child abuse and neglect using nationally recognized models.

(a) The nonprofit organization must continue to implement a countywide resource and referral linkage system for families of children who are prenatal through age five.

(b) The nonprofit organization must offer a voluntary brief newborn home visiting program. The program must meet the diverse needs of Pierce county residents and, therefore, it must be

flexible, culturally appropriate, and culturally responsive. The department, in collaboration with the nonprofit organization, must examine the feasibility of leveraging federal and other fund sources, including federal Title IV-E and medicaid funds, for home visiting provided through the pilot. The department must report its findings to the governor and appropriate legislative committees by September 1, 2023.

(10) \$3,577,000 of the general fund—state appropriation for fiscal year 2024, \$3,587,000 of the general fund—state appropriation for fiscal year 2025, and \$9,588,000 of the education legacy trust account—state appropriation are provided solely for the early childhood intervention prevention services (ECLIPSE) program. The department shall contract for ECLIPSE services to provide therapeutic child care and other specialized treatment services to abused, neglected, at-risk, and/or drug-affected children. The department shall pursue opportunities to leverage other funding to continue and expand ECLIPSE services. Priority for services shall be given to children referred from the department.

(11) The department shall place a ten percent administrative overhead cap on any contract entered into with the University of Washington. In a bi-annual report to the governor and the legislature, the department shall report the total amount of funds spent on the quality rating and improvements system and the total amount of funds spent on degree incentives, scholarships, and tuition reimbursements.

(12) \$1,728,000 of the general fund—state appropriation for fiscal year 2024 and \$1,728,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for reducing barriers for low-income providers to participate in the early achievers program.

(13) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit entity experienced in the provision of promoting early literacy for children through pediatric office visits.

(14) \$4,000,000 of the education legacy trust account—state appropriation is provided solely for early intervention assessment and services.

(15) The department shall work with state and local law enforcement, federally recognized tribal governments, and tribal law enforcement to develop a process for expediting fingerprinting and data collection necessary to conduct background checks for tribal early learning and child care providers.

(16) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continued implementation of chapter 202, Laws of 2017 (children's mental health).

(17) Within existing resources, the department shall continue implementation of chapter 409, Laws of 2019 (early learning access).

(18) \$515,000 of the general fund—state appropriation for fiscal year 2024 and \$515,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a statewide family resource and referral linkage system, with coordinated access point of resource navigators who will connect families with children prenatal through age five with services, programs, and community resources through a facilitated referral and linkage process.

(19)(a) \$114,000 of the general fund—state appropriation for fiscal year 2024, \$173,000 of the general fund—state appropriation for fiscal year 2025, \$6,000 of the general fund—federal appropriation, and \$31,000 of the general fund—federal

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appropriation (ARPA) are provided solely for the department to complete its pilot project to determine the feasibility of a child care license category for multi-site programs operating under one owner or one entity and to complete one year of transition activities. The department shall adopt rules to implement the pilot project and may waive or adapt licensing requirements when necessary to allow for the operation of a new license category. Pilot participants must include, at least:

- (i) One governmental agency;
- (ii) One nonprofit organization; and
- (iii) One for-profit private business.

(b) New or existing license child care providers may participate in the pilot. When selecting and approving pilot project locations, the department shall aim to select a mix of rural, urban, and suburban locations. By July 1, 2024, the department shall submit to the governor and relevant committees of the legislature a plan for permanent implementation of this license category, including any necessary changes to law.

(20) \$3,020,000 of the home visiting account—state appropriation and \$6,540,000 of the home visiting account—federal appropriation are provided solely for the home visiting program. Of the amounts in this subsection:

(a) \$2,020,000 of the home visiting account—state appropriation and \$6,540,000 of the home visiting account—federal appropriation are provided solely for a funding increase, including to increase funding for contracts to support wage and cost increases and create more equity in contracting among the home visiting workforce.

(b) \$1,000,000 of the home visiting account—state appropriation is provided solely for the expansion of visiting services.

(21) Within the amounts provided in this section, funding is provided for the department to make permanent the two language access coordinators with specialties in Spanish and Somali as funded in chapter 334, Laws of 2021.

(22)(a) The department must provide to the education research and data center, housed at the office of financial management, data on all state-funded early childhood programs. These programs include the early support for infants and toddlers, early childhood education and assistance program (ECEAP), and the working connections and seasonal subsidized childcare programs including license-exempt facilities or family, friend, and neighbor care. The data provided by the department to the education research data center must include information on children who participate in these programs, including their name and date of birth, and dates the child received services at a particular facility.

(b) ECEAP early learning professionals must enter any new qualifications into the department's professional development registry starting in the 2015-16 school year, and every school year thereafter. By October 2017, and every October thereafter, the department must provide updated ECEAP early learning professional data to the education research data center.

(c) The department must request federally funded head start programs to voluntarily provide data to the department and the education research data center that is equivalent to what is being provided for state-funded programs.

(d) The education research and data center must provide an updated report on early childhood program participation and K-12 outcomes to the house of representatives appropriations committee and the senate ways and means committee using available data every March for the previous school year.

(e) The department, in consultation with the department of social and health services, must withhold payment for services to early childhood programs that do not report on the name, date of birth, and the dates a child received services at a particular

facility.

(23) \$260,000 of the general fund—state appropriation for fiscal year 2024 and \$260,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue implementation of an infant and early childhood mental health consultation initiative to support tribal child care and early learning programs. Funding may be used to provide culturally congruent infant and early childhood mental health supports for tribal child care, the tribal early childhood education and assistance program, and tribal head start providers. The department must consult with federally recognized tribes which may include round tables through the Indian policy early learning committee.

(24) \$860,000 of the general fund—state appropriation for fiscal year 2024 and \$860,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continued expansion and support of family, friend, or neighbor caregivers with a focus on the provision of play and learn groups. The amounts provided in this subsection may be used for the department to:

(a) Fund consistent staffing across the state's six geographic regions to support the needs of family, friend, or neighbor caregivers;

(b) Contract with a statewide child care resource and referral program to sustain and expand the number of facilitated play groups to meet the needs of communities statewide;

(c) Support existing infrastructure for organizations that have developed the three existing play and learn program models so they have capacity to provide training, technical assistance, evaluation, data collection, and other support needed for implementation; and

(d) Provide direct implementation support to community-based organizations that offer play and learn groups.

(25) ~~(\$3,750,000)~~ \$2,750,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$3,750,000)~~ \$4,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for tribal early learning grants to be distributed to providers with tribal children enrolled in early childhood education and assistance program, early ECEAP, childcare, head start, early head start and home visiting programs. Grants will be administered by the department of children, youth and families office of tribal relations and may be awarded for purposes including but not limited to culturally appropriate mental health supports for addressing historical trauma, incorporating indigenous foods, culturally-responsive books and materials, staff professional development, curriculum adaptations and supplements, tribal language education, elders and storytelling in classrooms, traditional music and arts instruction, and transportation to facilitate tribal child participation in early childhood education. Of the amounts in this subsection, the department may use \$143,000 in fiscal year 2024 and up to \$136,000 in fiscal year 2025 to cover associated administrative expenses.

(26) \$7,698,000 of the general fund—state appropriation for fiscal year 2024 and \$7,698,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase complex needs grant funds for child care providers.

(27) \$2,624,000 of the general fund—state appropriation for fiscal year 2024 and \$2,624,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for equity grants established under chapter 199, Laws of 2021 (E2SSB 5237).

(28) \$2,354,000 of the general fund—state appropriation for fiscal year 2024 and \$2,431,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

department to continue the birth-to-three early childhood education and assistance program. Funding is sufficient for a 20 percent rate increase beginning July 1, 2023, and a 1.8 percent rate increase beginning July 1, 2024.

(29) \$3,352,000 of the general fund—state appropriation for fiscal year 2024 and \$9,916,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Second Substitute Senate Bill No. 5225 (working conn. child care). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to help close the gap in childcare access in the King county region by providing pandemic recovery support funding to the Launch learning organization.

(31) ~~(\$533,000)~~ \$169,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$364,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to submit an implementation plan to expand access to Washington's mixed delivery child care system. The plan must assume that any financial contribution by families is capped at no more than seven percent of household income and that the child care workforce are provided living wages and benefits. The plan must be submitted to the appropriate committees of the legislature by June 30, 2025, and should:

- (a) Follow the intent of chapter 199, Laws of 2021;
- (b) Be aligned with the cost of quality care rate model;
- (c) Include timelines, costs, and statutory changes necessary for timely and effective implementation; and
- (d) Be developed through partnership with the statewide child care resource and referral organization and the largest union representing child care providers, with consultation from families.

(32) \$250,000 of the general fund—state appropriation for fiscal year 2024 ~~((and))~~, \$250,000 of the general fund—state appropriation for fiscal year 2025, and \$1,750,000 of the general fund—federal appropriation are provided solely for infant and early childhood mental health consultation. Of the amounts provided in this subsection, \$150,000 of the general fund—federal appropriation is for infant and early childhood mental health consultation services to support rural schools and child care programs in rural communities.

(33) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with Washington communities for children to maintain a community-based early childhood network.

(34) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a Washington state based nonprofit digital child care marketing and matching service to deliver child care marketing and matching services in order to increase the number of licensed providers offering nonstandard hours care and to provide effective outreach to workforces in order to help them find and match with available nonstandard hours care providers.

(35) \$250,000 of the general fund—state appropriation for fiscal year 2024 ~~((and))~~, \$250,000 of the general fund—state appropriation for fiscal year 2025, and \$2,500,000 of the general fund—federal appropriation are provided solely for the department to contract with an organization that provides relationship-based professional development support to family, friend, and neighbor, child care center, and licensed family care providers to work with child care workers to establish and support new affordable, high quality child care and early learning

programs. To be eligible to receive funding, the organization must:

(a) Provide professional development services for child care providers and early childhood educators, including training and mentorship programs;

(b) Provide mentorship and other services to assist with child care provider and facility licensing;

(c) Administer or host a system of shared services and consulting related to operating a child care business; and

(d) Administer a state sponsored substitute pool child care provider program.

(36) \$830,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 1447 (assistance programs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(37) \$972,000 of the general fund—state appropriation for fiscal year 2024 and \$1,728,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1525 (apprenticeships/child care). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(38) \$2,438,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to provide a one-time rate enhancement in fiscal year 2024 for early support for infants and toddlers program providers.

(39) \$4,291,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1916 (infants and toddlers program). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(40) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,000,000)~~ \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the imagination library.

(41) \$5,561,000 of the general fund—federal appropriation is provided solely for the department to increase the infant rate enhancement to \$300 per month, beginning July 1, 2024.

(42) \$1,313,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of chapter 420, Laws of 2023 (transition to kindergarten program).

(43) \$650,000 of the general fund—federal appropriation is provided solely for the department to contract with a nonprofit organization that implements an inclusion mentorship program for child care and early learning providers. The mentorship program shall provide early learning providers with the necessary skills and knowledge to effectively care for and educate children with disabilities, developmental delays, or challenging behaviors.

(44)(a) \$30,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with the Snohomish county early learning coalition to develop a leadership team to identify and report on ways to strengthen the early learning community in Snohomish county. The leadership team may include, but is not limited to, members from the following groups:

- (i) Business communities and industry representatives;
- (ii) Child care directors and owners;
- (iii) School district superintendents;
- (iv) The children's commission;
- (v) Early learning nonprofit executive directors;
- (vi) Tribes located in Snohomish county;
- (vii) Councilmembers from cities located in Snohomish county;
- (viii) Law enforcement;
- (ix) The communities of color coalition; and

(x) Immigrant communities.
(b) The early learning coalition must submit an initial report to the governor and the appropriate committees of the legislature by June 30, 2025. The report must identify the following information:

- (i) Highest priority early learning needs and common challenges in the Snohomish county early learning sector;
- (ii) Best strategies to address the identified challenges;
- (iii) A list of potential partners to help implement the strategies identified in the report;
- (iv) A funding plan to implement the strategies; and
- (v) The goal of any strategies implemented.

(45)(a) \$3,179,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6109 (children and families). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(b) Of the amounts provided in (a) of this subsection:

(i) \$1,600,000 of the opioid abatement settlement account—state appropriation is provided solely for implementation of section 202 of Engrossed Second Substitute Senate Bill No. 6109 (children and families) for the department to enter into targeted contracts with existing home visiting programs established by RCW 43.216.130 in locales with the historically highest rates of child welfare screened-in intake to serve families.

(ii) \$1,579,000 of the opioid abatement settlement account—state appropriation is provided solely to establish a pilot program for contracted child care slots for infants in child protective services, which may be used as part of a safety plan.

(46)(a) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a nonprofit organization located in Spokane for a pilot program to increase the child care workforce and child care capacity in the greater Spokane area. At a minimum, the pilot program must create a cohort of at least 10 child care facilities that will engage in culture index and blueprint assessments in order to increase the child care workforce.

(b) In administering the pilot program, the nonprofit organization must:

- (i) Conduct coordinated outreach efforts to establish capacity and utilization benchmarks for current licensed day care facilities;
- (ii) Create a recruitment and branding strategy to increase the child care workforce; and
- (iii) Establish data points for training, recruiting, and retaining child care employees.

(c) The organization must submit a report on the results of the pilot program, including any outcomes affecting the child care workforce and capacity, to the governor and the appropriate committees of the legislature by June 30, 2025.

(47) \$1,246,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2124 (child care prog. eligibility). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 230. 2023 c 475 s 230 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES—PROGRAM SUPPORT

General Fund—State Appropriation (FY 2024)	\$371,994,000
.....	(((\$269,989,000))
General Fund—State Appropriation (FY 2025)	\$293,151,000
.....	(((\$267,333,000))
General Fund—Federal Appropriation	(((\$154,741,000))

General Fund—Private/Local Appropriation	\$171,942,000
.....	(((\$2,133,000))
Education Legacy Trust Account—State Appropriation	\$2,131,000
.....	(((\$180,000))
Home Visiting Services Account—State Appropriation	\$744,000
.....	\$482,000
Home Visiting Services Account—Federal Appropriation	\$380,000
TOTAL APPROPRIATION	(((\$695,238,000))
	\$840,824,000

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

(1) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a Washington state mentoring organization to continue its public-private partnerships providing technical assistance and training to mentoring programs that serve at-risk youth.

(2) \$2,000 of the general fund—state appropriation for fiscal year 2024, \$6,000 of the general fund—state appropriation for fiscal year 2025, and \$2,000 of the general fund—federal appropriation are provided solely for the implementation of an agreement reached between the governor and the Washington federation of state employees for the language access providers under the provisions of chapter 41.56 RCW for the 2023-2025 fiscal biennium, as provided in section 907 of this act.

(3) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a full-time employee to coordinate policies and programs to support pregnant and parenting individuals receiving chemical dependency or substance use disorder treatment.

(4) ~~(\$2,719,000)~~ \$3,525,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$2,632,000)~~ \$3,597,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$174,000)~~ \$181,000 of the general fund—federal appropriation are provided solely for the phase-in of the settlement agreement under *D.S. et al. v. Department of Children, Youth and Families et al.*, United States district court for the western district of Washington, cause no. 2:21-cv-00113-BJR. The department must implement the provisions of the settlement agreement pursuant to the timeline and implementation plan provided for under the settlement agreement. This includes implementing provisions related to the emerging adulthood housing program, professional therapeutic foster care, statewide hub home model, revised licensing standards, family group planning, referrals and transition, qualified residential treatment program, and monitoring and implementation. To comply with the settlement agreement, funding in this subsection is provided as follows:

(a) \$2,406,000 of the general fund—state appropriation for fiscal year 2024, \$2,382,000 of the general fund—state appropriation for fiscal year 2025, and \$174,000 of the general fund—federal appropriation are provided solely for supported housing programs for hard-to-place foster youth age 16 and above. The department shall provide housing and case management supports that ensure youth placement stability, promote mental health and well-being, and prepare youth for independent living.

(b) \$313,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation and monitoring of the state's implementation plan, which includes receiving recurring updates, requesting data on compliance,

reporting on progress, and resolving disputes that may arise.

(c) \$806,000 of the general fund—state appropriation for fiscal year 2024, \$965,000 of the general fund—state appropriation for fiscal year 2025, and \$7,000 of the general fund—federal appropriation are provided solely for plaintiff legal fees and fiduciary support to support rate modeling and payments for the emerging adult housing program, professional therapeutic foster parents, referrals and transitions, and hub homes.

(5) \$704,000 of the general fund—state appropriation for fiscal year 2024, \$1,022,000 of the general fund—state appropriation for fiscal year 2025, and \$222,000 of the general fund—federal appropriation are provided solely for the department to implement a language access plan, which will include but is not limited to:

- (a) Translation of department materials;
- (b) Hiring staff to form a centralized language access team to provide language access supports and coordination across all department divisions;
- (c) Outreach to community organizations serving multilingual children and families regarding department programs;
- (d) Webinars and other technical assistance provided in multiple languages for department programs;
- (e) Training for department staff on language access resources; and
- (f) Other means of increasing language access and equity for providers and caregivers in health and safety, licensing and regulations, and public funding opportunities for programs offered by the department.

(6) \$1,885,000 of the general fund—state appropriation for fiscal year 2024 and \$1,885,000 of the general fund—federal appropriation are provided solely for a feasibility study to develop an implementation plan and determine costs for a new child welfare information system.

(7) \$2,149,000 of the general fund—state appropriation for fiscal year 2024, \$7,851,000 of the general fund—state appropriation for fiscal year 2025, and \$10,000,000 of the general fund—federal appropriation are provided solely for a comprehensive child welfare information system. The funding in this section is sufficient to complete procurement and the initial stages of implementation and is subject to the conditions, limitations, and review requirements of section 701 of this act.

(8) \$1,187,000 of the general fund—state appropriation for fiscal year 2024 and \$1,187,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for housing support services for youth exiting foster care and juvenile rehabilitation.

~~((8))~~ (9) \$19,000 of the general fund—state appropriation for fiscal year 2024, \$19,000 of the general fund—state appropriation for fiscal year 2025, and \$6,000 of the general fund—federal appropriation are provided solely for indirect costs associated with the implementation of a seven-level foster care support system.

~~((9))~~ (10) \$1,494,000 of the general fund—federal appropriation is provided solely for continued implementation of the family first prevention services act requirements, including technology enhancements to support the automated assessments, data quality, and reporting requirements. Funding provided in this subsection is subject to the conditions, limitations, and review provided in section 701 of this act.

~~((10))~~ (11) \$717,000 of the general fund—state appropriation for fiscal year 2024, \$717,000 of the general fund—state appropriation for fiscal year 2025, and \$324,000 of the general fund—federal appropriation are provided solely for continued implementation of chapter 210, Laws of 2021 (2SHB 1219).

~~((11))~~ (12) \$1,248,000 of the general fund—state appropriation for fiscal year 2024 and \$1,248,000 of the general fund—state appropriation for fiscal year 2025 are provided solely

for the continuation of the emergency adolescent housing pilot program. The housing pilot will serve hard-to-place foster youth who are at least 16 years old with housing and intensive case management.

~~((12))~~ (13) \$319,000 of the general fund—state appropriation for fiscal year 2024, \$319,000 of the general fund—state appropriation for fiscal year 2025, and \$170,000 of the general fund—federal appropriation are provided solely to continue implementation of chapter 137, Laws of 2022 (2SHB 1905).

~~((13))~~ (14) \$26,000 of the general fund—state appropriation for fiscal year 2024 and \$26,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue implementation of chapter 39, Laws of 2022 (SHB 2068).

~~((14))~~ (15) \$23,000 of the general fund—state appropriation for fiscal year 2024, \$31,000 of the general fund—state appropriation for fiscal year 2025, and \$7,000 of the general fund—federal appropriation are provided solely to implement Second Substitute Senate Bill No. 5225 (working conn. child care). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(15))~~ (16) \$1,571,000 of the general fund—state appropriation for fiscal year 2024 and \$1,571,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Senate Bill No. 5316 (DCYF background check fees). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(16))~~ (17) \$53,000 of the general fund—state appropriation for fiscal year 2024, \$53,000 of the general fund—state appropriation for fiscal year 2025, and \$16,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5515 (child abuse and neglect). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(17))~~ (18) \$43,000 of the general fund—state appropriation for fiscal year 2024, \$78,000 of the general fund—state appropriation for fiscal year 2025, and \$18,000 of the general fund—federal appropriation are provided solely to implement Engrossed Substitute Senate Bill No. 5124 (nonrelative kin placement). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(18))~~ (19) \$2,627,000 of the general fund—state appropriation for fiscal year 2024 and \$2,628,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5256 (child welfare housing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(19))~~ (20) \$33,000 of the general fund—state appropriation for fiscal year 2024, \$58,000 of the general fund—state appropriation for fiscal year 2025, and \$14,000 of the general fund—federal appropriation are provided solely for implementation of Senate Bill No. 5683 (foster care/Indian children). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~(20))~~ (21) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the partnership council for juvenile justice to consider and provide recommendations regarding juvenile justice policy projects and for one additional staff for ongoing policy and program analysis. The partnership council is authorized to consult with experts to study and gather research on best practices regarding juvenile justice, and to consult with relevant stakeholders regarding its potential recommendations. Relevant stakeholders may include but are not limited to the superior court judges association; Washington association of juvenile court administrators; Washington association of county clerks; the association of

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Washington counties; community-based organizations with expertise in legal financial obligation reform, community compensation funds, supporting victims and survivors of crime, or supporting youth who have been convicted or adjudicated of criminal offenses; law enforcement, prosecutors; public defenders; incarcerated and formerly incarcerated youth and young adults; the administrative office of the courts; the crime victims compensation program; and the office of crime victims advocacy.

(a) The council shall:

(i) By October 31, 2024, report to the governor and appropriate committees of the legislature recommendations for establishing a state-funded community compensation program to address out of pocket expenses for those who have been harmed by juvenile criminal offenses. Recommendations shall consider restorative principles and best practices and shall be developed in consultation with those who have been adjudicated and charged restitution and those who have been owed restitution. The council shall provide recommendations for program implementation including, but not limited to, structure and placement within state government; scope and scale of funding including eligibility criteria; retroactivity; documentation requirements; and coordination with the existing crime victims compensation fund. The council shall provide estimates of startup costs and ongoing operational costs, including administration and direct compensation to victims.

(ii) By October 31, 2024, report to the governor and appropriate committees of the legislature recommendations regarding retention, dissemination, confidentiality, sealing, consequences, and general treatment of juvenile court records. In making recommendations, the council shall take into consideration developments in brain science regarding decision-making amongst youth; the impact the juvenile court records can have on future individual well-being; principles of racial equity; and impacts that the recommendations could have on recidivism.

(iii) By June 30, 2025, report to the governor and appropriate committees of the legislature recommendations regarding implementation of juvenile court jurisdiction expansion to encompass persons 18, 19, and 20 years old. Recommendations shall include an implementation plan for the expansion, including necessary funding, essential personnel and programmatic resources, measures necessary to avoid a negative impact on the state's child protection response, and specific milestones related to operations and policy. The implementation plan shall also include a timeline for structural and systemic changes within the juvenile justice system for the juvenile rehabilitation division; the department of children, youth, and families; the department of corrections; and the juvenile court pursuant to chapter 13.04 RCW. The implementation plan shall also include an operations and business plan that defines benchmarks including possible changes to resource allocations; a review of the estimated costs avoided by local and state governments with the reduction of recidivism and an analysis of cost savings reinvestment options; and estimated new costs incurred to provide juvenile justice services to persons 18, 19, and 20 years old.

~~((21))~~ (22) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with a statewide nonprofit with demonstrated capability of partnering with agencies and community organizations to develop public-facing regionalized data dashboards and reports to measure change in equitable early learning access as a result of programs and grants administered by the department. The nonprofit must provide the data in a consumer-friendly format and include updates on program supply

and demand for subsidized child care and preschool programs. The data must be disaggregated by program and facility type, geography, family demographics, copayments, and outcomes of grants and rate enhancements disaggregated by staff role, program and facility type, and geography.

~~((22))~~ (23) \$1,206,000 of the general fund—state appropriation for fiscal year 2024, \$1,554,000 of the general fund—state appropriation for fiscal year 2025, and \$1,416,000 of the general fund—private/local appropriation are provided solely for the department to contract with one or more community organizations with expertise in the LifeSet case management model to serve youth and adults currently being served in or exiting the foster care, juvenile justice, and mental health systems to successfully transition to adulthood.

~~((23))~~ (24) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase rates for independent living service providers.

~~((24))~~ (25) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for funding of the teamchild project.

~~((25))~~ (26) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an entity for three separate studies. The department must submit the studies to the governor and the legislature by June 30, 2025. The studies must analyze:

(a) The feasibility of implementing a universal child allowance, universal child care, and universal baby boxes;

(b) The feasibility of a social wealth fund for Washington state; and

(c) The current cash and cash-equivalent benefits currently available for Washington state residents who are nonworkers.

~~((26))~~ (27) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to contract with an all-male, African American organization to mentor youth ages 12 through 19 in south King county.

~~((27))~~ (28) \$37,000 of the general fund—state appropriation for fiscal year 2024, \$37,000 of the general fund—state appropriation for fiscal year 2025, and \$74,000 of the general fund—federal appropriation are provided solely for implementation of Engrossed Second Substitute House Bill No. 1188 (child welfare services/DD). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((28))~~ (29) \$18,000 of the general fund—state appropriation for fiscal year 2024, \$18,000 of the general fund—state appropriation for fiscal year 2025, and \$8,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1580 (children in crisis). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((29))~~ (30)(a) \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$41,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to report on a plan to discontinue the practice of using any benefits, payments, funds, or accrual paid to or on behalf of a child or youth to reimburse itself for cost of care by the earliest date feasible. The report must include an implementation plan to conserve funds for the future needs of the child in a manner in which the funds will not count against

eligibility for federal or state means tested programs. The report must include a strategy for developing the financial literacy and capability of youth and young adults exiting foster care and juvenile rehabilitation. The department will develop the report in consultation with stakeholders, including but not limited to:

- (i) Individuals with disabilities and organizations representing the interests of or serving individuals with disabilities;
- (ii) Youth in foster care and juvenile rehabilitation and their parents;
- (iii) The social security administration; and
- (iv) Other relevant state agencies.

(b) The department must provide periodic status updates and must submit the final report no later than October 1, 2024. The department must convene the first meeting of the work group no later than September 1, 2023.

(31) \$938,000 of the general fund—state appropriation for fiscal year 2024, \$961,000 of the general fund—state appropriation for fiscal year 2025, and \$172,000 of the general fund—federal appropriation are provided solely for:

(a) Compliance with the settlement agreement reached in *Ta'afulisia et al. v. Washington State Department of Children, Youth, and Families, et al.*, Thurston county superior court, cause no. 22-2-02974-34. The department must implement the provisions of the settlement agreement, which includes providing hearings to incarcerated youth under age 25 serving their sentence at a department of children, youth, and families facility prior to transfer to an adult corrections facility operated by the department of corrections; and

(b) Providing hearings for youth under age 25 transferred from a department of children, youth, and families community partial confinement facility to a department of children, youth, and families total confinement facility.

(32) \$94,615,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for legal costs that exceed the amount covered by the self-insurance liability account as follows:

(a) \$91,250,000 for the costs associated with a jury verdict resulting from *Cox et al. v. State of Washington et al.*, Pierce county superior court, cause no. 12-2-11389-6; and

(b) \$3,365,000 for the costs associated with a settlement agreement reached in *Aroni et al., v. State of Washington*, King county superior court, cause no. 21-2-16587-3.

(33) \$11,000 of the general fund—state appropriation for fiscal year 2024, \$651,000 of the general fund—state appropriation for fiscal year 2025, and \$662,000 of the general fund—federal appropriation are provided solely for a feasibility study for the social service payment system replacement project.

(34) \$946,000 of the general fund—state appropriation for fiscal year 2025 and \$154,000 of the general fund—federal appropriation are provided solely for implementation of Second Substitute House Bill No. 1205 (service by pub./dependency). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(35) \$3,000 of the general fund—state appropriation for fiscal year 2024, \$22,000 of the general fund—state appropriation for fiscal year 2025, and \$4,000 of the general fund—federal appropriation are provided solely for implementation of Substitute House Bill No. 1970 (DCYF-caregiver communication). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(36) \$954,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to transact with the necessary level of detail regarding working connections child care program payments to address the repeated findings made by the state auditor's office related to the child care and development fund and temporary assistance for needy families federal grants.

(37) \$254,000 of the general fund—federal appropriation is

provided solely for implementation of Substitute Senate Bill No. 5774 (fingerprint backgr. checks). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**PART III
NATURAL RESOURCES**

Sec. 301. 2023 c 475 s 301 (uncodified) is amended to read as follows:

FOR THE COLUMBIA RIVER GORGE COMMISSION

General Fund—State Appropriation (FY 2024) ((	\$1,728,000))
	\$1,727,000
General Fund—State Appropriation (FY 2025) ((	\$1,273,000))
	\$1,294,000
General Fund—Federal Appropriation.....	\$32,000
General Fund—Private/Local Appropriation	((
	\$2,574,000))
	\$2,594,000
Climate Commitment Account—State Appropriation	\$138,000
TOTAL APPROPRIATION	((
	\$5,745,000))
	\$5,785,000

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

(1) \$105,000 of the general fund—state appropriation for fiscal year 2024 and \$108,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a land use planner to provide land use planning services dedicated to Klickitat county. Because the activities of the land use planner are solely for the benefit of Washington state, Oregon is not required to provide matching funds for this activity.

(2) \$553,000 of the general fund—state appropriation for fiscal year 2024, \$352,000 of the general fund—state appropriation for fiscal year 2025, and \$905,000 of the general fund—private/local appropriation are provided solely for the access database replacement project. The commission must consult with the office of the chief information officer regarding the access database replacement project.

(3) \$138,000 of the climate commitment account—state appropriation is provided solely for staff to lead implementation of the agency's climate change action plan and to support implementation of the vital sign indicators monitoring program.

(4) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

Sec. 302. 2023 c 475 s 302 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund—State Appropriation (FY 2024)	((
	\$39,381,000))
	\$39,429,000
General Fund—State Appropriation (FY 2025)	((
	\$37,256,000))
	\$39,352,000
General Fund—Federal Appropriation.....	((
	\$108,485,000))
	\$145,441,000
General Fund—Private/Local Appropriation	\$29,544,000
Climate Commitment Account—State Appropriation	((
	\$14,792,000))
	\$25,152,000
Emergency Drought Response Account—State	
Appropriation	\$6,000,000
Natural Climate Solutions Account—State	
Appropriation	((
	\$12,795,000))
	\$16,408,000
Reclamation Account—State Appropriation	((
	\$4,753,000))
	\$4,785,000
Flood Control Assistance Account—State Appropriation	

.....	(\$5,041,000)
	<u>\$5,252,000</u>
Aquatic Lands Enhancement Account—State	
Appropriation.....	\$150,000
Refrigerant Emission Management Account—State	
Appropriation.....	(\$2,795,000)
	<u>\$3,121,000</u>
State Emergency Water Projects Revolving Account—	
State Appropriation.....	\$40,000
Waste Reduction, Recycling, and Litter Control	
Account—State Appropriation	(\$33,866,000)
	<u>\$33,999,000</u>
State Drought Preparedness Account—State	
Appropriation.....	(\$2,204,000)
	<u>\$2,219,000</u>
State and Local Improvements Revolving Account—Water	
Supply Facilities—State Appropriation	\$186,000
Water Rights Tracking System Account—State	
Appropriation.....	\$48,000
Site Closure Account—State Appropriation	\$582,000
Wood Stove Education and Enforcement Account—State	
Appropriation.....	\$605,000
Worker and Community Right to Know Fund—State	
Appropriation.....	(\$2,212,000)
	<u>\$2,222,000</u>
Water Rights Processing Account—State Appropriation	
.....	\$39,000
Water Quality Permit Account—State Appropriation	
.....	(\$65,774,000)
	<u>\$67,216,000</u>
Underground Storage Tank Account—State Appropriation	
.....	(\$4,987,000)
	<u>\$5,032,000</u>
Biosolids Permit Account—State Appropriation	
.....	(\$3,054,000)
	<u>\$3,068,000</u>
Hazardous Waste Assistance Account—State	
Appropriation.....	(\$9,393,000)
	<u>\$9,476,000</u>
Radioactive Mixed Waste Account—State Appropriation	
.....	(\$23,955,000)
	<u>\$24,455,000</u>
Air Pollution Control Account—State Appropriation	
.....	(\$4,706,000)
	<u>\$4,926,000</u>
Oil Spill Prevention Account—State Appropriation	
.....	(\$8,485,000)
	<u>\$9,132,000</u>
Air Operating Permit Account—State Appropriation	
.....	(\$5,510,000)
	<u>\$5,593,000</u>
Wastewater Treatment Plant Operator Certification	
Account—State Appropriation	(\$801,000)
	<u>\$804,000</u>
Oil Spill Response Account—State Appropriation	\$7,076,000
Model Toxics Control Operating Account—State	
Appropriation.....	(\$342,888,000)
	<u>\$350,774,000</u>
Model Toxics Control Operating Account—Local	
Appropriation.....	(\$499,000)
	<u>\$1,000,000</u>
Model Toxics Control Stormwater Account—State	
Appropriation.....	(\$16,991,000)
	<u>\$16,992,000</u>
Voluntary Cleanup Account—State Appropriation ...	\$344,000

Paint Product Stewardship Account—State	
Appropriation	\$151,000
Water Pollution Control Revolving Administration	
Account—State Appropriation.....	(\$8,506,000)
	<u>\$8,641,000</u>
Clean Fuels Program Account—State Appropriation	
.....	(\$4,801,000)
	<u>\$5,003,000</u>
Climate Investment Account—State Appropriation	
.....	(\$50,290,000)
	<u>\$60,877,000</u>
TOTAL APPROPRIATION	(\$858,985,000)
	<u>\$935,134,000</u>

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

(1) \$455,000 of the general fund—state appropriation for fiscal year 2024 and \$455,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to grant to the northwest straits commission to provide funding, technical assistance, and/or coordination support equally to the seven Puget Sound marine resources committees.

(2) \$170,000 of the oil spill prevention account—state appropriation is provided solely for a contract with the University of Washington's sea grant program to continue an educational program targeted to small spills from commercial fishing vessels, ferries, cruise ships, ports, and marinas.

(3) \$102,000 of the general fund—state appropriation for fiscal year 2024 and \$102,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Executive Order No. 12-07, Washington's response to ocean acidification.

(4) \$24,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide grants to local governments for the purpose of supporting local solid waste and financial assistance programs.

(5) \$150,000 of the aquatic lands enhancement account—state appropriation is provided solely for implementation of the state marine management plan and ongoing costs of the Washington coastal marine advisory council to serve as a forum and provide recommendations on coastal management issues.

(6) \$2,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to convene a stakeholder group, including representatives from overburdened communities, to assist with developing a water quality implementation plan for polychlorinated biphenyls and to address other emerging contaminants in the Spokane river. The department must also consult with the Spokane tribe of Indians and other interested tribes when developing and implementing actions to address water quality in the Spokane river.

(7) \$4,002,000 of the natural climate solutions account—state appropriation is provided solely to address flood prevention in the Nooksack basin and Sumas prairie. Of this amount:

(a) \$2,000,000 is provided solely to expand and sustain Whatcom county's floodplain integrated planning (FLIP) team planning process, including supporting communication, community participation, coordination, technical studies and analysis, and development of local solutions.

(b) \$900,000 is provided solely for the department to support transboundary coordination, including facilitation and technical support to develop and evaluate alternatives for managing transboundary flooding in Whatcom county and British Columbia.

(c) \$1,102,000 is provided solely to support dedicated local and department capacity for floodplain planning and technical support. Of the amount in this subsection (c), \$738,000 is solely

for a grant to Whatcom county. The remaining amount is for the department to provide ongoing staff technical assistance and support to flood prevention efforts in this area.

(8) (~~(\$16,472,000)~~) \$21,504,000 of the climate investment account—state appropriation is provided solely for capacity grants to federally recognized tribes for: (a) Consultation on spending decisions on grants in accordance with RCW 70A.65.305; ~~(and)~~ (b) consultation on clean energy siting projects; (c) activities supporting climate resilience and adaptation; (d) developing tribal clean energy projects; (e) applying for state or federal grant funding; and (f) other related work. In order to meet the requirements of RCW 70A.65.230(1)(b), tribal applicants are encouraged to include a tribal resolution supporting their request with their grant application. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, \$5,032,000 of the funds from this subsection shall lapse.

(9) \$1,363,000 of the general fund—state appropriation for fiscal year 2024 and \$1,375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for preparation and filing of adjudications of state water rights in water resource inventory area 1 (Nooksack).

(10) \$573,000 of the general fund—state appropriation for fiscal year 2024 and \$963,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for preparation and filing of adjudications of state water rights in lake Roosevelt and its immediate tributaries.

(11) \$2,479,000 of the climate investment account—state appropriation is provided solely for addressing air quality in overburdened communities highly impacted by air pollution under RCW 70A.65.020.

(12) \$177,000 of the general fund—state appropriation for fiscal year 2024 and \$177,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to validate a proposed standardized channel migration zone mapping methodology, develop a statewide channel migration zone mapping implementation plan, and provide technical assistance to local and tribal governments looking to use the new standard.

(13)(a) \$640,000 of the climate investment account—state appropriation is provided solely for the department, in consultation with the office of financial management and the environmental justice council, to develop and implement a process to track, summarize, and report on state agency expenditures from climate commitment act accounts that provide direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities as described in RCW 70A.65.030 and 70A.65.230, and expenditures that are formally supported by a resolution of an Indian tribe as described in RCW 70A.65.230. The department must incorporate the process under this subsection into existing efforts to track climate commitment act expenditures under RCW 70A.65.300. The department must incorporate the Washington state proequity antiracism (PEAR) plan and playbook and executive order 22-04 into the work of this subsection as appropriate.

(b) The information that agencies provide to the department, and that the department tracks and reports on under this subsection, must include, at a minimum:

(i) The amount of each expenditure that provides direct and meaningful benefits to vulnerable populations within the boundaries of overburdened communities;

(ii) An explanation of how the expenditure provides such benefits;

(iii) The methods by which overburdened communities and vulnerable populations were identified by the agency and an explanation of the outcomes of those identification processes, including the geographic location impacted by the expenditure

where relevant, and the geographic boundaries of overburdened communities identified by the agency;

(iv) The amount of each expenditure used for programs, activities, or projects formally supported by a resolution of an Indian tribe; and

(v) For expenditures that do not meet, or it is unclear whether they meet, (b)(i) or (iv) of this subsection, an explanation of why.

(c) The department, in consultation with the environmental justice council and the office of financial management, and in coordination with reporting under RCW 70A.65.300, must report to the appropriate committees of the legislature by September 30, 2024, on the following:

(i) A summary of the information provided by agencies through the process in this subsection; and

(ii) Any recommendations for improvements to the process under this subsection or potential amendments to RCW 70A.65.030, 70A.65.230, or 70A.02.080, or other statutes relevant to this subsection. In making recommendations, the department must consider any statutory changes necessary to ensure consistent tracking of the uses of climate commitment account funds, including standardization or coordination of the process for identifying the overburdened communities used for purposes of tracking expenditures and the methods for determining whether an expenditure contributes a direct and meaningful benefit to a vulnerable population or overburdened community.

(d) "Climate commitment act accounts" means the carbon emissions reduction account created in RCW 70A.65.240, the climate commitment account created in RCW 70A.65.260, the natural climate solutions account created in RCW 70A.65.270, the climate investment account created in RCW 70A.65.250, the air quality and health disparities improvement account created in RCW 70A.65.280, the climate transit programs account created in RCW 46.68.500, and the climate active transportation account created in RCW 46.68.490.

(14) \$238,000 of the model toxics control operating account—state appropriation is provided solely for technical assistance and compliance assurance associated with the ban of certain hydrofluorocarbon-related products.

(15) \$2,500,000 of the model toxics control operating account—state appropriation is provided solely for the department to conduct a statewide compost emissions study, which will provide essential data needed to improve the quality of air permitting decisions, improve compost facility operations, and support state goals to reduce organic waste in landfills reducing climate change impacts.

(16) \$2,256,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide technical assistance to landowners and local governments to promote voluntary compliance, implement best management practices, and support implementation of water quality clean-up plans in shellfish growing areas, agricultural areas, forestlands, and other types of land uses, including technical assistance focused on protection and restoration of critical riparian management areas important for salmon recovery.

(17) \$2,702,000 of the model toxics control operating account—state appropriation is provided solely for the department to develop a 6PPD action plan and complete a safer alternatives assessment of the 6PPD compound used in tires, including obtaining any data necessary to complete the alternatives assessment. The action plan should identify, characterize, and evaluate uses and releases of 6PPD and related chemicals, and recommend actions to protect human health and the environment. The department shall provide a progress report on the action plan and alternatives assessment to the governor's

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office, the office of financial management, and the appropriate committees of the legislature by December 31, 2024. The department may provide funding from this subsection to the University of Washington and Washington State University for the purposes of this subsection.

(18) \$5,195,000 of the model toxics control operating account—state appropriation is provided solely to establish a program to monitor 6PPD compounds in water and sediment, identify effective best management practices to treat 6PPD in stormwater runoff, produce guidance on how and when to use best management practices for toxicity reduction to protect salmon and other aquatic life, and incorporate the guidance into stormwater management manuals. The department may provide funding from this subsection to the University of Washington and Washington State University for the purposes of this subsection.

(19) \$2,296,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Senate Bill No. 5104 (marine shoreline habitat). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(20)(a) \$500,000 of the model toxics control operating account—state appropriation is provided solely for the department to carry out the following activities to inform the development of legislative proposals to increase recycling, reuse, and source reduction rates, which must include consideration of how to design and implement a producer responsibility model for consumer packaging, including paper, plastic, metal, and glass, and paper products:

(i) Conduct a recycling, reuse, and source reduction targets study; and

(ii) Carry out a community input process on the state's recycling system.

(b) The department must contract with an impartial third-party consultant with relevant technical expertise and capabilities in facilitation and gathering public input, including from overburdened communities, to carry out the activities specified in (a) of this subsection. In order to ensure that the state is receiving a variety of expert perspectives on the topic of packaging management, the contractor should include in their team individuals and/or subcontractors with a wide range of expertise and experience. The third party consultant must submit a report to the appropriate committees of the house of representatives and the senate by December 1, 2023.

(c) The recycling, reuse, and source reduction targets study must:

(i) Document recycling rates, reuse rates, and the reduction of single-use plastics for consumer packaging and paper products that have been adopted in other jurisdictions, measure methods used, and the basis or justification for recommended target rates selected;

(ii) Recommend highest achievable performance rates, including an overall recycling rate, a separate specific minimum reuse rate, a recycling rate for each material category, and a source reduction rate to be achieved solely by eliminating plastic components, that could be achieved under up to four different scenarios, including a producer responsibility program and other policies; and

(iii) Make recommendations that consider the commercial viability and technological feasibility of achieving rates based on current rates achieved in the state, rates achieved based on real world performance data, and other data, with performance rates designed to be achieved statewide by 2032.

(d) For purposes of this subsection, "eliminate" or "elimination," with respect to source reduction, means the removal of a plastic component from a covered material without

replacing that component with a nonplastic component.

(e) The community input process on the state's recycling system must include:

(i) In-person and virtual workshops and community meetings held at locations in urban and rural areas and in ways that are accessible to stakeholders across the state, including overburdened communities;

(ii) Public opinion surveys that are representative of Washington residents across the state, including overburdened communities and urban and rural areas; and

(iii) A focus on eliciting an improved understanding of public values and opinions related to the state's recycling system, the current public experience with respect to the state's recycling systems, and ways the public believes that their recycling experience and system outcomes could be improved.

(21)(a) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department, in consultation with other agencies as necessary, to conduct an analysis of water use for irrigation under the potential scenario of lower Snake river dam removal. Analysis must include continued water use during drawdown and thereafter from the river postremoval. The analysis must include the following:

(i) A plan identifying potential mitigation needs and interim approaches for delivery of water for irrigation pursuant to existing water rights for those using pumps, wells, or both, from Ice Harbor reservoir during a possible transition from the current reservoir-based irrigation to irrigation from the river;

(ii) Identification of cost-effective options for continued irrigation at current amounts and with existing water rights from the lower Snake river at the area of the current Ice Harbor pool; and

(iii) Cost estimates for any necessary irrigation system upgrades required to continue irrigation from the lower Snake river.

(b) The department may, as necessary and appropriate, consult for this analysis with irrigators and tribal governments.

(c) The department shall provide a status update to the environment and energy committees of the legislature and the office of the governor by December 31, 2024.

(22) \$3,914,000 of the natural climate solutions account—state appropriation is provided solely for activities related to coastal hazards, including expanding the coastal monitoring and analysis program, establishing a coastal hazard organizational resilience team, and establishing a coastal hazards grant program to help local communities design projects and apply for funding opportunities. At least 25 percent of the funding in this subsection must be used for the benefit of tribes.

(23) \$340,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1033 (compostable product usage). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(24) \$1,124,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(25) \$139,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$6,000,000 of the emergency drought response account—state appropriation and \$2,000,000 of the state drought

preparedness account—state appropriation are provided solely for implementation of Substitute House Bill No. 1138 (drought preparedness). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(27) \$1,123,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(28) \$43,000 of the underground storage tank account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(29) \$1,174,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(30) \$13,248,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(31) \$140,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(32) Expenditures on upgrading or developing the turboplan system, Washington fuel reporting system, and EAGL system are subject to the conditions, limitations, and review requirements of section 701 of this act.

(33) \$1,263,000 of the clean fuels program account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(34) \$370,000 of the climate commitment account—state appropriation is provided solely as a grant to the Puget Sound clean air agency to identify emission reduction projects and to help community-based organizations, local governments, and ports in overburdened communities author grant applications and provide support for grant reporting for entities that receive grants. The department must prioritize projects located in overburdened communities so that those communities can reap the public health benefits from the climate commitment act, inflation reduction act, and other new funding opportunities.

(35) \$1,220,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5144 (batteries/environment). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(36) ~~((~~\$822,000~~))~~ \$77,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Senate Bill No. 5369 (polychlorinated biphenyls). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(37) \$330,000 of the model toxics control operating account—state appropriation is provided solely for the department to provide a grant to Clark county for the purpose of developing and implementing a lake management plan to restore and maintain the health of Vancouver lake, a category 5 303(d) status impaired body of water. The department must work with the county to include involvement by property owners around the lake and within the watersheds that drain to the lake, the department of

natural resources, other state agencies and local governments with proprietary or regulatory jurisdiction, tribes, and nonprofit organizations advocating for the health of the lake. The plan should incorporate work already completed by the county and other entities involved in development of the lake management strategy.

(38) \$276,000 of the model toxics control operating account—state appropriation is provided solely for a grant to San Juan county for the enhancement of ongoing oil spill response preparedness staff hiring, spill response equipment acquisition, and spill response training and operational expenses.

(39) \$1,460,000 of the natural climate solutions account—state appropriation is provided solely for the department to provide grants to the following organizations in the amounts specified for the purpose of coordinating, monitoring, restoring, and conducting research for Puget Sound kelp conservation and recovery:

- (a) \$300,000 to the Squaxin Island Tribe;
- (b) \$200,000 to the Samish Indian Nation;
- (c) \$144,000 to the Lower Elwha Klallam Tribe;
- (d) \$200,000 to the Northwest straits commission;
- (e) \$366,000 to the Puget Sound restoration fund to subcontract with sound data systems and Vashon nature center; and
- (f) \$250,000 to the reef check foundation.

(40) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department's engagement with the federal government, Indian tribes, water users, and local governments on a process that could result in a federal Indian water rights settlement through the Nooksack adjudication. The department shall produce a monthly report during the claims filing period to monitor the progress of claims filed by water users. The department shall provide a report to the appropriate standing committees of the legislature regarding the status of the adjudication and any potential settlement structure by June 30, 2024, and by June 30, 2025.

(41) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Whatcom county to provide technical assistance that must be made available to all water users in WRIA 1 in filing adjudication claims under RCW 90.03.140. This assistance must be administered by Whatcom county and no portion of this funding may be used to contest the claims of any other claimant in the adjudication.

(42) ~~((~~\$350,000~~))~~ \$330,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$350,000~~))~~ \$370,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to Whatcom county acting as fiscal agent for the WRIA 1 watershed management board, in support of collaborative water supply planning in WRIA 1. Funding may be used to collect or analyze technical information, to develop and assess the feasibility of water supply solutions in WRIA 1, and for facilitation and mediation among parties including, but not limited to, the department, Whatcom county, the public utility district, the city of Bellingham, Lummi Nation, and the Nooksack Tribe. Specific funding allocations, including purpose and amount, will be determined by the WRIA 1 watershed management board. Funding under this subsection will be available only after the filing of the Nooksack adjudication, and no funding provided for the Nooksack adjudication will be used to support the activities funded by this subsection. It is anticipated that these activities will run in parallel with the Nooksack adjudication.

(43) \$200,000 of the model toxics control operating account—state appropriation is provided solely for the department to

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contract with a consultant to develop a report that conducts a full emissions life cycle assessment for solid waste processed at the Spokane Waste to Energy Facility (WTEF) compared to solid waste processed at three other landfills within the region that waste may be sent to if the WTEF were to cease operations. The report must be submitted to the appropriate committees of the legislature by December 31, 2023.

(44) \$1,416,000 of the climate investment account—state appropriation is provided solely for additional staff and resources to implement the climate commitment act. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(45) \$896,000 of the model toxics control operating account—state appropriation is provided solely for Washington conservation corps (WCC) cost-share requirements for qualifying organizations, as identified through a competitive application process that prioritizes communities that have not previously received WCC support, are in areas with a high cumulative impact on the department of health's environmental health disparities map, are identified by the office of financial management as distressed, and/or have a high percentile of people of color or low-income.

(46) \$3,307,000 of the natural climate solutions account—state appropriation is provided solely to update surface water maps across the state, develop geospatial integration tools, and support the use, accuracy, and adoption of the state's hydrography dataset. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(47) \$410,000 of the model toxics control operating account—state appropriation is provided solely to implement the recommendations from the agency's June 2023 report on Puget Sound nutrient credit trading, including conducting a market feasibility analysis and developing a stakeholder outreach plan, a tribal engagement plan, and trading resource materials.

(48) \$338,000 of the climate commitment account—state appropriation is provided solely for the department to increase planning, engagement, and evaluation tools for effective ocean management and offshore wind energy development. The department must engage with tribes in carrying out this subsection. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(49) \$2,000,000 of the model toxics control operating account—state appropriation is provided solely for the department to meet the increased demand for administrative orders authorized under chapter 90.48 RCW (the water pollution control act) for projects impacting state waters.

(50) Upon request, the department must provide technical assistance to representatives of emissions-intensive trade-exposed industries, as defined in RCW 70A.65.110, on the replacement of existing industrial facilities with facilities under the same North American industry classification system code with lower greenhouse gas emissions. The department must provide such assistance until November 1, 2024.

(51)(a) \$300,000 of the climate commitment account—state appropriation is provided solely for the department, in consultation with the department of commerce, to contract with a third-party entity to conduct a study of the extent to which carbon dioxide removal is needed to meet Washington's emissions reduction targets defined in RCW 70A.45.020. The study must include recommendations on policies to grow Washington's

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carbon dioxide removal capacity, including compliance market development and government procurement policies. The department must provide an interim progress report to the appropriate committees of the legislature by November 30, 2024. The department must provide a final report by June 30, 2025, that includes:

(i) A summary of feedback from relevant stakeholders;

(ii) An analysis of economic and climate opportunities for Washington;

(iii) Ways in which carbon dioxide removal might integrate with existing compliance programs;

(iv) Strategies to support industry sectors in integrating carbon dioxide removal and maximizing federal funding;

(v) Recommendations for monitoring, reporting, and verification standards to ensure carbon dioxide removal technologies may be compared; and

(vi) Consideration of carbon dioxide removal accounting mechanisms that account for varying durability of different approaches.

(b) If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(52) \$375,000 of the model toxics control operating account—state appropriation is provided solely to:

(a) Identify additional priority consumer products containing PFAS for potential regulatory action; and

(b) Issue orders to manufacturers under RCW 70A.350.040 and 70A.350.030 to obtain ingredient information, including for chemical ingredients used to replace priority chemicals.

(53) \$200,000 of the flood control assistance account—state appropriation is provided solely for a grant to the Spirit Lake-Toutle/Cowlitz river collaborative for flood risk reduction, ecosystem recovery, scientific research, and other activities related to sediment management and flooding in the Spirit Lake-Toutle/Cowlitz river system.

(54) \$501,000 of the model toxics control operating account—private/local appropriation is provided solely for cleanup costs at the Stillwater holdings Chevron site in Walla Walla.

(55) \$300,000 of the model toxics control operating account—state appropriation is provided solely for an analysis of the contribution of waste tires, as defined in RCW 70A.205.440, to 6PPD-q pollution. The department may contract with a third party for the study. A final study report is due to the appropriate committees of the legislature by June 30, 2025, in accordance with RCW 43.01.036. The study must include:

(a) A review of the disposal, repurposing, reuse, recycling, handling, and management of waste tires in the state;

(b) A review of the markets for waste tires, including state policies and programs that impact these markets;

(c) A description of the sectoral and geographic origins and destinations of waste tires; and

(d) Alternatives to using tire derived rubber in waste tire markets.

(56)(a) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to contract with a statewide association of local public health officials to conduct an analysis of:

(i) Current wastewater treatment capacity to treat and dispose of septage in Washington; and

(ii) Future wastewater treatment infrastructure needs to accommodate development growth using on-site septage systems.

(b) The department must report to the appropriate committees of the legislature by June 30, 2025, with the results of the analysis.

(57)(a) \$206,000 of the natural climate solutions account—

state appropriation is provided solely to initiate the development of a statewide web map tool to integrate the department's water resources management databases. Data elements to integrate include water rights records and geospatial information, mitigation and water banks, and metering data. The web map must provide the public with an interactive online mapping system focused on water resource data that enables users to access, visualize, and use improved water data.

(b) The department must consult with local and tribal governments to identify the most useful data elements and analytics to incorporate into an enhanced water resource management tool and must use this information to prioritize future tool enhancements.

(c) The department must provide a status update on the data integration project to the appropriate committees of the legislature and to the office of financial management by June 30, 2025, including work completed to date, recommendations for priority tool enhancements to support decision-making, planned work for fiscal year 2026, and future budget needs required to complete the development of an enhanced water resource management tool and maintain it on an ongoing basis.

(d) Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(58) \$145,000 of the air pollution control account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 6121 (ag. and forestry biomass). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(59) \$1,787,000 of the climate investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 6058 (carbon market linkage). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(60) \$1,645,000 of the climate commitment account—state appropriation is provided solely for implementation of food waste management grant programs as provided in Engrossed Second Substitute House Bill No. 2301 (waste material management). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(61) \$1,335,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 2301 (waste material management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(62) \$44,000 of the climate commitment account—state appropriation is provided solely for implementation of Substitute House Bill No. 1924 (fusion technology policies). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(63) \$2,000,000 of the climate investment account—state appropriation is provided solely to communicate with the public in multiple languages on the use and benefits of climate

commitment act funding, as well as the ways in which communities can access climate commitment act grant funding. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(64) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to develop a groundwater modeling guidance publication.

(a) The publication must provide consistency in the department's evaluation of groundwater models submitted for water right permitting actions and ensure continued transparency to water right applicants in the department's permitting processes. The core purpose of the publication is to establish best practices for groundwater modeling. The publication will:

(i) Define criteria for evaluating model suitability for proposed projects;

(ii) Identify the department's approach to evaluating model error and uncertainty;

(iii) Identify circumstances where model outputs are insufficient for permit decision making; and

(iv) Address the appropriateness of refining a regional groundwater model in water right permitting decisions.

(b) The department must convene a technical advisory committee of licensed hydrogeologists, including hydrogeologists employed or designated by tribes, or professional engineers with experience in groundwater modeling to review the workplan and provide comments on the guidance. The publication must be peer reviewed by the United States geological survey or other state or national hydrogeologic professional organization.

(c) The department must invite any federally recognized Indian tribes that may be potentially affected by the publication to participate in the technical advisory committee and engage in consultation with any federally recognized Indian tribe as requested.

(d) The department must provide an update to the appropriate committees of the legislature and to the office of financial management by June 30, 2025. The department must indicate the estimated time to complete the publication, including draft guidance, recommended further research, and key implementation steps in the update.

(65) \$650,000 of the climate commitment account—state appropriation is provided solely for a feasibility and engineering study for the city of Spokane's waste to energy plant carbon emissions reductions project. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(66) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the implementation of the Spanaway lake cyanobacteria plan and the aquatic plant management plan, including testing, sample collection, and monitoring for tracking water quality and determining treatment options.

(67) \$6,000,000 of the climate commitment account—state appropriation is provided solely for the department, in collaboration with the University of Washington department of environmental and occupational health sciences, to provide air quality mitigation equipment to residential, recreational, or educational facilities in south King county that will measurably improve air quality including, but not limited to, the provision of high particulate air purifiers designed to mitigate or eliminate ultrafine particles or other aviation-related air pollution. Funds provided in this subsection may not be expended or obligated

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prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(68) \$37,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5649 (floodproofing improvements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(69) \$76,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5812 (electric vehicle fires). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(70) \$44,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6061 (housing development/SEPA). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(71) \$1,070,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

Sec. 303. 2023 c 475 s 303 (uncodified) is amended to read as follows:

FOR THE WASHINGTON POLLUTION LIABILITY INSURANCE PROGRAM

General Fund—Federal Appropriation	(\$868,000))
	<u>\$1,237,000</u>
Pollution Liability Insurance Agency Underground Storage Tank Revolving Account—State Appropriation.....	\$957,000
Pollution Liability Insurance Program Trust Account—State Appropriation.....	(\$10,190,000))
	<u>\$10,235,000</u>
TOTAL APPROPRIATION.....	(\$12,015,000))
	<u>\$12,429,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$8,340,000 of the pollution liability insurance program trust account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1175 (petroleum storage tanks). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

Sec. 304. 2023 c 475 s 304 (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund—State Appropriation (FY 2024)	(\$39,617,000))
	<u>\$41,197,000</u>
General Fund—State Appropriation (FY 2025)	(\$39,564,000))
	<u>\$45,091,000</u>
General Fund—Federal Appropriation	\$7,231,000
Climate Commitment Account—State Appropriation	(\$1,083,000))
	<u>\$2,883,000</u>
Natural Climate Solutions Account—State Appropriation.....	(\$350,000))
	<u>\$650,000</u>
Winter Recreation Program Account—State	

Appropriation	\$4,928,000
ORV and Nonhighway Vehicle Account—State Appropriation	\$396,000
Snowmobile Account—State Appropriation	\$5,715,000
Aquatic Lands Enhancement Account—State Appropriation	\$367,000
Parks Renewal and Stewardship Account—State Appropriation	(\$148,388,000))
	<u>\$153,073,000</u>
Parks Renewal and Stewardship Account—Private/Local Appropriation	(\$420,000))
	<u>\$720,000</u>
TOTAL APPROPRIATION	(\$248,059,000))
	<u>\$262,251,000</u>

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

(1) \$5,000 of the general fund—state appropriation for fiscal year 2024, \$5,000 of the general fund—state appropriation for fiscal year 2025, and \$142,000 of the parks renewal and stewardship account—state appropriation are provided solely for operating budget impacts from capital budget projects completed in the 2021-2023 fiscal biennium.

(2) \$127,000 of the general fund—state appropriation for fiscal year 2024, \$128,000 of the general fund—state appropriation for fiscal year 2025, and \$750,000 of the parks renewal and stewardship account—state appropriation are provided solely to monitor known cultural resource sites, perform needed evaluations for historic properties, manage historic preservation capital projects, and support native American grave protection and repatriation act compliance.

(3) \$299,000 of the general fund—state appropriation for fiscal year 2024, \$299,000 of the general fund—state appropriation for fiscal year 2025, and \$1,797,000 of the parks renewal and stewardship account—state appropriation are provided solely for additional staff and technical support for scoping and scheduling to proactively address tribal and community concerns and increase the quality of capital project requests.

(4) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to complete a park master plan and an environmental impact statement for Miller peninsula park.

(5) \$3,750,000 of the general fund—state appropriation for fiscal year 2024 and \$3,750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the maintenance of state parks, including maintaining grounds and facilities, trails, restrooms, water access areas, and similar activities.

(6) \$1,083,000 of the climate commitment account—state appropriation and \$350,000 of the natural climate solutions account—state appropriation are provided solely to identify and reduce the state park system's carbon emissions and assess areas of vulnerability for climate change.

(7) \$336,000 of the general fund—state appropriation for fiscal year 2024 and \$336,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to create a statewide data management system with the department of natural resources and the department of fish and wildlife to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(8) \$129,000 of the general fund—state appropriation for fiscal year 2024 and \$129,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant for the

operation of the Northwest weather and avalanche center.

(9) The commission must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(10)(a) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a statewide trail maintenance and hiking nonprofit organization to provide the emerging leaders program: expanding equity in the outdoors. The goal of the program is expanding both the number and diversity of trained, qualified individuals available for employment in the outdoor recreation and natural resource management sectors.

(b) The program must demonstrate a commitment to diversity, equity, and inclusion by providing a safe and supportive environment for individuals of diverse backgrounds, including those who have been historically underrepresented in the outdoor recreation and natural resource sectors, such as indigenous people and people of color.

(c) The program must provide both technical outdoor skills training and professional development opportunities that include, but are not limited to, outdoor leadership, representation in the outdoors, and team building.

(11) \$21,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5371 (orca vessel protection). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$450,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grounds and facilities maintenance costs at the Fort Worden state park campus. The state parks and recreation commission shall work with the Fort Worden lifelong learning center public development authority to develop a report that reviews the historic public development authority financial records, identifies a cost-recovery model to pay for campus maintenance, and proposes any changes to the current lease structure necessary to maintain the public development authority. The commission must submit the report to the office of financial management and the fiscal committees of the legislature no later than June 1, 2024.

(13) \$50,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to a park and recreation district in Blaine to provide youth day camp mental health counselor services.

(14) \$1,800,000 of the climate commitment account—state appropriation and \$300,000 of the natural climate solutions account—state appropriation are provided solely to purchase electric lawn mowers, conduct energy use metering and audits in historic buildings, and analyze coastal erosion and flooding risks. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

Sec. 305. 2023 c 475 s 305 (uncodified) is amended to read as follows:

FOR THE RECREATION AND CONSERVATION OFFICE

General Fund—State Appropriation (FY 2024)	((\$10,190,000))
	<u>\$10,572,000</u>
General Fund—State Appropriation (FY 2025).	((\$6,501,000))
	<u>\$7,370,000</u>
General Fund—Federal Appropriation	((\$6,196,000))
	<u>\$6,197,000</u>
General Fund—Private/Local Appropriation.....	\$24,000

Aquatic Lands Enhancement Account—State	
Appropriation	((\$464,000))
	<u>\$463,000</u>
Climate Investment Account—State Appropriation..	\$200,000
Firearms Range Account—State Appropriation.....	\$37,000
Natural Climate Solutions Account—State	
Appropriation	\$398,000
Recreation Resources Account—State Appropriation	
.....	((\$5,040,000))
	<u>\$5,124,000</u>
NOVA Program Account—State Appropriation	\$1,564,000
TOTAL APPROPRIATION	((\$30,614,000))
	<u>\$31,949,000</u>

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

(1) \$37,000 of the firearms range account—state appropriation is provided solely to the recreation and conservation funding board for administration of the firearms range grant program as described in RCW 79A.25.210.

(2) ~~((~~\$5,040,000~~))~~ \$5,124,000 of the recreation resources account—state appropriation is provided solely to the recreation and conservation funding board for administrative and coordinating costs of the recreation and conservation office and the board as described in RCW 79A.25.080(1).

(3) \$1,564,000 of the NOVA program account—state appropriation is provided solely to the recreation and conservation funding board for administration of the nonhighway and off-road vehicle activities program as described in chapter 46.09 RCW.

(4) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the governor's salmon recovery office to implement the governor's salmon recovery strategy update by convening the natural resources subcabinet on a regular basis and developing biennial statewide work priorities with a recommended budget for salmon recovery pursuant to RCW 77.85.030(4)(e) that align with tribal priorities and regional salmon recovery plans. The office shall submit the biennial implementation plan to the governor's office and the office of financial management no later than October 31, 2024.

(5) \$1,714,000 of the general fund—state appropriation for fiscal year 2024 and \$1,714,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operational and administrative support of lead entities and salmon recovery regions.

(6) \$200,000 of the climate investment account—state appropriation is provided solely for the agency to complete the required community engagement plan as outlined in RCW 70A.65.030, the climate commitment act.

(7) \$1,464,000 of the general fund—federal appropriation and \$50,000 of the aquatic lands enhancement account—state appropriation are provided solely to support removal efforts for flowering rush in the Columbia river basin and Whatcom county.

(8) \$398,000 of the natural climate solutions account—state appropriation is provided solely to establish a riparian coordinator position within the governor's salmon recovery office to work with state agencies to improve project coordination, develop common metrics across programs, and consolidate data platforms.

(9) \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$100,000~~))~~ \$298,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a nonprofit organization with a mission for salmon and steelhead restoration to install near-term solutions to prevent steelhead mortality at the Hood canal bridge.

(10) The office must report to and coordinate with the

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department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(11) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the connections and snow to sea programs, which provide youth outdoor learning experiences in the Blaine, Mount Baker, and Nooksack Valley school districts.

(12) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to local parks to address any maintenance backlog of existing facilities, trails, and capital improvements. The funds should be dispersed on a needs-based set of criteria and on a one-time basis. Grants are limited to \$100,000 per organization. Allowable uses of grant funding include, but are not limited to, maintenance, repair, or replacement of trails, restroom facilities, picnic sites, playgrounds, signage, and kiosks, as well as necessary Americans with disabilities act upgrades delayed due to the pandemic. Local parks agencies may partner with nonprofit organizations in deploying this maintenance and Americans with disabilities act funding.

(13) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for updating the economic analysis of outdoor recreation in Washington state and adding an analysis of the impacts of the outdoor recreation economy in underserved communities.

(14) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to match federal funds to identify the offsets to the loss of recreation opportunities associated with the potential draw down of reservoirs on the lower Snake river.

(15) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for motorized and nonmotorized boater education and outreach on Lake Union, with a specific goal of preventing boat and airplane conflicts on the lake during peak recreation season, given the provisions of the United States coast guard navigation rules that seaplanes must in general keep well clear of other vessels. The office may grant funding to local or federal government agencies or nonprofit organizations. The office must publish a publicly available summary report by June 30, 2025, on funding recipients, uses of the funding, and the successes and failures of programs funded. Funding provided in this subsection may not be used to preclude or restrict public use of Lake Union, including recreational, commercial, or tribal use of waters of the state.

Sec. 306. 2023 c 475 s 306 (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

General Fund—State Appropriation (FY 2024).	(\$3,484,000)
	\$3,483,000
General Fund—State Appropriation (FY 2025).	(\$3,792,000)
	\$4,308,000
Climate Investment Account—State Appropriation ..	\$898,000
TOTAL APPROPRIATION	(\$8,174,000)
	\$8,689,000

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

(1) \$164,000 of the general fund—state appropriation for fiscal year 2024, \$379,000 of the general fund—state appropriation for fiscal year 2025, and \$898,000 of the climate investment

account—state appropriation are provided solely for the agency to hire staff to respond to increased caseloads, including appeals as a result of the climate commitment act, chapter 316, Laws of 2021.

(2) \$52,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1047 (cosmetic product chemicals). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(3) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1110 (middle housing). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(4) The office must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

Sec. 307. 2023 c 475 s 307 (uncodified) is amended to read as follows:

FOR THE CONSERVATION COMMISSION

General Fund—State Appropriation (FY 2024)	(\$16,461,000)
	\$16,459,000
General Fund—State Appropriation (FY 2025)	(\$16,453,000)
	\$20,692,000
General Fund—Federal Appropriation.....	\$2,482,000
Climate Commitment Account—State Appropriation	(\$30,200,000)
	\$5,300,000
Climate Investment Account—State Appropriation..	\$250,000
Natural Climate Solutions Account—State	
Appropriation	\$20,023,000
Public Works Assistance Account—State Appropriation	
.....	\$10,332,000
Model Toxics Control Operating Account—State	
Appropriation	\$1,110,000
TOTAL APPROPRIATION	(\$97,311,000)
	\$76,648,000

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

(1) \$250,000 of the climate investment account—state appropriation is provided solely for the agency to complete the required community engagement plan as outlined in RCW 70A.65.030, the climate commitment act.

(2) \$500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$500,000)~~ \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase technical assistance and operational capacity of conservation districts.

(3) \$3,000,000 of the natural climate solutions account—state appropriation is provided solely to support the outreach, identification, and implementation of salmon riparian habitat restoration projects.

(4) \$5,000,000 of the natural climate solutions account—state appropriation is provided solely to the commission to work with conservation districts to address unhealthy forests and build greater community resiliency to wildfire.

(5) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to connect scientists, practitioners, and researchers and coordinate efforts to monitor and quantify benefits of best management practices on

agricultural lands, and better understand values and motivations of landowners to implement voluntary incentive programs.

(6) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the continued development of the disaster assistance program established in RCW 89.08.645, to provide short-term financial support for farmers and ranchers during disasters. Funding must be prioritized for farmers and ranchers who are the most economically vulnerable.

(7) \$1,420,000 of the public works assistance account—state appropriation is provided solely to support monitoring and reporting efforts necessary to evaluate the implementation and effectiveness of voluntary stewardship program work plans.

(8) \$8,533,000 of the public works assistance account—state appropriation is provided solely for implementation of the voluntary stewardship program. This amount may not be used to fund agency indirect and administrative expenses.

(9) ~~(\$30,000,000)~~ \$5,100,000 of the climate commitment account—state appropriation is provided solely for grants through the sustainable farms and fields program for organic agricultural waste and greenhouse gas emissions reduction through climate-smart livestock management. Of the amounts provided in this subsection:

~~(a)(i) The commission may grant up to \$22,000,000 toward cost share agreements for anaerobic digester development to dairy farm owners. Grants awarded for anaerobic digester development must have at least a 50 percent nonstate match and be awarded through a competitive process that considers:~~

~~(A) The amount of greenhouse gas reduction that will be achieved by the proposal; and~~

~~(B) The amount of untreated effluent that will be decreased.~~

~~(ii) Recipients of grants under (a)(i) of this subsection must provide a report to the commission within one year of receipt of the grant, detailing the success of the project in meeting the stated criteria for the competitive process.~~

~~(b))~~ The commission may grant up to ~~(\$6,000,000)~~ \$3,000,000 for technical and financial assistance to increase implementation of climate-smart livestock management, alternative manure management, and other best management practices to reduce greenhouse gas emissions and increase carbon sequestration.

~~((e))~~ (b) The commission may grant up to \$2,000,000 for research on, or demonstration of, projects with greenhouse gas reduction benefits.

~~((d))~~ (c) When funding for specific technologies, including anaerobic digesters, the commission must enter into appropriate agreements to support the state's interest in advancing innovation solution to decarbonize while ensuring compliance with Article VIII, section 5 and Article XII, section 9 of the state Constitution.

~~((e))~~ (d) The commission must submit a report summarizing the grants awarded and the likely annual greenhouse gas emission reductions achieved as a result to the appropriate committees of the legislature by December 1, 2024.

(10) \$23,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(11) \$379,000 of the public works assistance account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5353 (voluntary stewardship program). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) The commission must report to and coordinate with the department of ecology to track expenditures from climate

commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(13) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the King county conservation district to reduce the impacts of artificial lighting on or near the water on the behavior of salmon and other aquatic life in Lake Sammamish and Lake Washington. The grant funding may be used for:

(a) Research, including quantifying light intensities and conducting field studies of fish behavior;

(b) Community education, engagement, and technical assistance; and

(c) Development of model lighting ordinances.

(14) \$2,000,000 of the natural climate solutions account—state appropriation is provided solely to develop and implement an educational communication plan to the general public and landowners in urban, suburban, rural, agricultural, and forested areas regarding the importance of riparian buffers and the actions they can take to protect and enhance these critical areas.

(15) \$200,000 of the climate commitment account—state appropriation is provided solely for the commission to conduct an evaluation of the current contribution that organic and climate smart agriculture makes toward Washington's climate response goals, what potential there is for increasing this contribution, and how additional investments will help realize this potential, while supporting resiliency. The commission must include the departments of agriculture and ecology and other relevant state agencies, Washington state university, conservation districts, tribal governments, nongovernmental organizations, and other relevant stakeholders who will participate in the evaluation. The commission must submit a report of its findings and recommendation to the appropriate committees of the legislature by May 1, ~~((2024))~~ 2025.

(16) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for the commission to provide grants to local government and private landowners for fire wise projects to reduce forest fuel loading in areas deemed a high hazard for potential wildfire.

(17) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for staffing to support administrative operations of the commission. The commission will adopt an administrative rate policy for funding indirect support costs for future programmatic operating budget requests.

(18) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for post wildfire recovery actions in central Klickitat conservation district and eastern Klickitat conservation district to provide technical assistance and conduct fire recovery activities such as seeding, weed control, dozer line repair, forest health, and shrub steppe restoration, on areas that are necessary for public resource protection.

Sec. 308. 2023 c 475 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

General Fund—State Appropriation (FY 2024)	((\$159,066,000))
	<u>\$162,299,000</u>
General Fund—State Appropriation (FY 2025)	((\$163,912,000))
	<u>\$183,753,000</u>
General Fund—Federal Appropriation.....	((\$144,941,000))
	<u>\$160,011,000</u>
General Fund—Private/Local Appropriation ..	((\$69,907,000))
	<u>\$70,020,000</u>
Climate Commitment Account—State Appropriation	\$3,398,000

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Natural Climate Solutions Account—State	
Appropriation.....	(\$3,748,000)
	<u>\$5,748,000</u>
ORV and Nonhighway Vehicle Account—State	
Appropriation.....	\$696,000
Aquatic Lands Enhancement Account—State	
Appropriation.....	(\$14,104,000)
	<u>\$14,124,000</u>
Recreational Fisheries Enhancement Account—State	
Appropriation.....	(\$3,721,000)
	<u>\$3,756,000</u>
Salmon Recovery Account—State Appropriation ..	\$3,000,000
Warm Water Game Fish Account—State Appropriation	
.....	\$3,088,000
Eastern Washington Pheasant Enhancement Account—	
State Appropriation.....	(\$673,000)
	<u>\$675,000</u>
Limited Fish and Wildlife Account—State	
Appropriation.....	(\$36,826,000)
	<u>\$36,947,000</u>
Special Wildlife Account—State Appropriation	(\$2,924,000)
	<u>\$2,925,000</u>
Special Wildlife Account—Federal Appropriation....	\$531,000
Special Wildlife Account—Private/Local Appropriation	
.....	(\$3,819,000)
	<u>\$3,842,000</u>
Wildlife Rehabilitation Account—State Appropriation	
.....	\$661,000
Ballast Water and Biofouling Management Account—	
State Appropriation.....	\$10,000
Regional Fisheries Enhancement Salmonid Recovery	
Account—Federal Appropriation	\$5,001,000
Oil Spill Prevention Account—State Appropriation	
.....	\$1,284,000
Aquatic Invasive Species Management Account—State	
Appropriation.....	(\$1,154,000)
	<u>\$1,157,000</u>
Model Toxics Control Operating Account—State	
Appropriation.....	\$7,724,000
Fish, Wildlife, and Conservation Account—State	
Appropriation.....	(\$83,640,000)
	<u>\$83,975,000</u>
Forest Resiliency Account—State Appropriation...	\$4,000,000
Oyster Reserve Land Account—State Appropriation	\$524,000
TOTAL APPROPRIATION.....	(\$718,352,000)
	<u>\$759,149,000</u>

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

(1) \$1,777,000 of the general fund—state appropriation for fiscal year 2024 and \$1,777,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to grant to the northwest Indian fisheries commission for hatchery operations that are prioritized to increase prey abundance for southern resident orcas, including \$200,000 per fiscal year for tagging and marking costs, and the remainder to grant to tribes in the following amounts per fiscal year: \$150,000 for the Quinault Indian Nation, \$199,000 for the Tulalip Tribes, \$268,000 for the Quileute Tribe, \$186,000 for the Puyallup Tribe, \$122,000 for the Port Gamble S'Klallam Tribe, \$25,000 for the Muckleshoot Indian Tribe, \$207,000 for the Squaxin Island Tribe, \$142,000 for the Skokomish Indian Tribe, and \$278,000 for the Lummi Nation.

(2) \$330,000 of the general fund—state appropriation for fiscal year 2024 and \$330,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide to the Yakama Nation for hatchery operations that are

prioritized to increase prey abundance for southern resident orcas.

(3) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to grant to public utility districts for additional hatchery production that is prioritized to increase prey abundance for southern resident orcas.

(4) ~~(\$467,000)~~ \$217,000 of the general fund—state appropriation for fiscal year 2024 and \$467,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to pay for emergency fire suppression costs. These amounts may not be used to fund agency indirect and administrative expenses.

(5) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a state match to support the Puget Sound nearshore partnership between the department and the United States army corps of engineers.

(6)(a) \$6,082,000 of the general fund—state appropriation for fiscal year 2024 and \$6,082,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement eradication and control measures on European green crabs through coordination and grants with partner organizations. The department must provide quarterly progress reports on the success and challenges of the measures to the appropriate committees of the legislature.

(b) The department must develop a comprehensive long-term plan for Washington's response to European green crab. The plan must identify where permanent trapping efforts should occur, where efficiencies over current operations may be achieved, which agencies, tribes, or organizations require ongoing funding to support the state's eradication and control measures, and the potential for federal funding for control efforts, and include a recommended funding level to implement the plan in the 2025-2027 fiscal biennium. The plan shall be submitted to the governor and legislature by October 1, 2024.

(7) \$403,000 of the general fund—state appropriation for fiscal year 2024 and \$377,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to develop conflict mitigation strategies for wolf recovery and staff resources in northeast Washington for response to wolf-livestock conflicts. The department shall not hire contract range riders in northeast Washington unless there is a gap in coverage from entities funded through the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020. No contract riders shall be deployed in areas already sufficiently covered by other riders. The department must focus on facilitating coordination with other entities providing conflict deterrence, including range riding, and technical assistance to livestock producers in order to minimize wolf-livestock issues in the Kettle Range and other areas of northeast Washington with existing or emerging chronic conflict. The department is discouraged from the use of firearms from helicopters for removing wolves.

(8) \$852,000 of the general fund—state appropriation for fiscal year 2024 and \$852,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide additional capacity to the attorney general's office to prosecute environmental crimes. The department must provide an annual report by December 1st of each year, to the appropriate committees of the legislature, on the progress made in prosecuting environmental crimes.

(9) \$753,000 of the general fund—state appropriation for fiscal year 2024 and \$753,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for expanded management of pinniped populations on the lower Columbia river and its tributaries with the goal of increasing chinook salmon abundance and prey availability for southern resident orcas.

(10) \$470,000 of the general fund—state appropriation for fiscal year 2024 and \$470,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to expand efforts to survey the diets of seals and sea lions in the Salish sea and identify nonlethal management actions to deter them from preying on salmon and steelhead.

(11) \$518,000 of the general fund—state appropriation for fiscal year 2024 and \$519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue to provide policy and scientific support to the department of ecology regarding surface and groundwater management issues as part of implementing chapter 90.94 RCW streamflow restoration.

(12) \$4,096,000 of the model toxics control operating account—state appropriation is provided solely to analyze salmon contaminants of emerging concern (CEC), including substances such as 6PPD-quinone and polychlorinated biphenyls (PCB) in already collected tissue samples. This research will accelerate recovery and protection by identifying the location and sources of CEC exposure.

(13) \$130,000 of the general fund—state appropriation for fiscal year 2024 and \$130,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an external facilitator to seek solutions through a collaborative process using the department's wolf advisory group.

(14) \$194,000 of the general fund—state appropriation for fiscal year 2024 and \$194,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to update and maintain rule making related to chapter 77.57 RCW, fishways, flow, and screening.

(15) \$822,000 of the general fund—state appropriation for fiscal year 2024 and \$822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to monitor recreational steelhead spawning and harvest in freshwater streams and rivers in Puget Sound.

(16) \$2,714,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for additional law enforcement officers for marine and freshwater fisheries compliance and a patrol vessel dedicated to coastal operations.

(17) \$509,000 of the general fund—state appropriation for fiscal year 2024 and \$305,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to monitor recreational shellfish harvests, monitor intertidal and crustacean fisheries, address emerging environmental issues, maintain a new data management infrastructure, and develop a disease and pest management program to protect shellfish fisheries in the Puget Sound.

(18) \$360,000 of the general fund—state appropriation for fiscal year 2024 and \$224,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to complete and maintain a statewide prioritization of fish passage barriers in collaboration with regional salmon recovery organizations.

(19) \$997,000 of the general fund—state appropriation for fiscal year 2024 and \$997,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the assessment of riparian ecosystems. The assessment must include identifying common statewide definitions of terms for riparian usage, recommendations to improve data sharing, and identifying any gaps in vegetated cover relative to a science-based standard for a fully functioning riparian ecosystem and comparing the status and gaps to water temperature impairments, known fish passage barriers, and status of salmonid stocks.

(20) ~~(\$900,000)~~ \$419,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Lummi Nation to make infrastructure updates at the Skookum

hatchery.

(21) \$285,000 of the general fund—state appropriation for fiscal year 2024 and \$285,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to manage electronic tracked crab fishery gear to avoid whale entanglements during their migration as the agency develops a conservation plan to submit for an endangered species act incidental take permit.

(22) \$480,000 of the general fund—state appropriation for fiscal year 2024 and \$435,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to equip officers with body worn cameras to advance public safety.

(23) \$158,000 of the general fund—state appropriation for fiscal year 2024 and \$163,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5371 (orca vessel protection). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(24) \$3,000,000 of the salmon recovery account—state appropriation is provided solely for pass-through to tribes of the upper Columbia river to support reintroduction of Chinook salmon above Grand Coulee and Chief Joseph dams.

(25) \$741,000 of the general fund—state appropriation for fiscal year 2024 and \$741,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operation and maintenance capacity and technical assistance for state fish passage facilities.

(26) \$948,000 of the general fund—state appropriation for fiscal year 2024 and \$948,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue operations of the Toutle and Skamania hatcheries.

(27) \$283,000 of the general fund—state appropriation for fiscal year 2024 and \$283,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to create a statewide data management system with the department of natural resources and the state parks and recreation commission to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(28) \$385,000 of the general fund—state appropriation for fiscal year 2024 and \$385,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to increase wildlife conflict specialists to address crop damage, dangerous wildlife interactions, and conflict preventative education and outreach.

(29) \$430,000 of the general fund—state appropriation for fiscal year 2024, \$430,000 of the general fund—state appropriation for fiscal year 2025, and \$3,564,000 of the natural climate solutions account—state appropriation are provided solely to increase capacity in three aspects of the department's mission most vulnerable to climate change including species recovery planning, providing technical assistance, permitting, and planning support, and managing agency lands and infrastructure.

(30) \$1,752,000 of the climate commitment account—state appropriation is provided solely for the first phase of the department's sustainability plan, including advancing energy efficiency and renewable energy projects, creating a commute trip reduction program, and supporting foundational research and capacity-building.

(31) \$4,000,000 of the forest resiliency account—state appropriation ~~((is))~~ and \$2,000,000 of the natural climate solutions account—state appropriation are provided solely to reduce severe wildfire risk and increase forest resiliency through fuels reduction, thinning, fuel break creation, and prescribed burning on agency lands. The amounts provided in this subsection may not be used to fund agency indirect and administrative

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expenses. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(32)(a) (~~(\$8,000,000)~~) \$7,905,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$15,000,000)~~) \$15,095,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the protection, recovery, and restoration of biodiversity, the recovery of threatened and endangered species, and a review of the department of fish and wildlife. Examples include habitat protection and restoration, technical assistance for growth management act planning, fish passage improvements, conservation education, scientific research for species and ecosystem protection, and similar activities. Funding in this subsection may include pass-throughs to public, nonprofit, academic, or tribal entities for the purposes of this subsection.

(b) Of the amounts provided in this subsection, (~~(\$300,000)~~) \$205,000 of the general fund—state appropriation for fiscal year 2024 (~~(*)~~) and \$95,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the Ruckelshaus center for a review of the department of fish and wildlife, as referenced in (a) of this subsection. The review must focus on the department's efforts to fulfill its obligations as the trustee of state fish and wildlife on behalf of all current and future Washingtonians, to meet the mixed goals of the mandate set forth in RCW 77.04.012, and to respond to the equity principles articulated in RCW 43.06D.020. The review must explore the following areas and recommend changes as appropriate:

(i) The department's ability to meet threats created by climate change and biodiversity loss;

(ii) An alignment of mandate with the department's responsibility as a public trustee;

(iii) The department's governance structure;

(iv) The department's funding model; and

(v) Accountability and transparency in department decision making at both the commission and management levels.

(c) Within this scope, the Ruckelshaus center must also examine the following areas and provide recommendations as appropriate:

(i) Fish and wildlife commission structure, composition, duties, and compensation;

(ii) Influence on the department by special interest groups;

(iii) The process by which the department uses science and social values in its decision making;

(iv) Outreach and involvement of Washington citizens who have historically been excluded from fish and wildlife decisions, including nonconsumptive users and marginalized communities;

(v) The department's adherence to state laws, including the state environmental policy act and the public records act; and

(vi) Any other related issues that arise during the review.

(d) Based on the results of the review, the Ruckelshaus center must provide options for making changes to the department's mandate and governance structure as deemed necessary to improve the department's ability to function as a trustee for state fish and wildlife.

(e) The Ruckelshaus center must submit a report to the appropriate committees of the legislature by (~~June 30, 2024~~) December 1, 2024.

(33) (~~(\$125,000)~~) \$101,000 of the general fund—state appropriation for fiscal year 2024 (~~(*)~~) and \$24,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nonprofit organization that operates a zoological garden in King county and that has developed an educators' toolkit for nature play programming for

youth in communities historically excluded from nature experiences to provide inclusive nature-based programming statewide to children from racially, ethnically, and culturally diverse backgrounds.

(34) \$310,000 of the general fund—state appropriation for fiscal year 2024 and \$160,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to perform the following tasks related to net ecological gain:

(a) Of the amount provided in this subsection, \$160,000 in fiscal year 2024 and \$160,000 in fiscal year 2025 are provided solely for the department to facilitate a work group focused on developing a net ecological gain implementation framework.

(i) Participation in the work group is as follows:

(A) The work group must include representatives from the department, the department of commerce, the department of ecology, and the department of transportation; and

(B) The work group may include representatives from, and consultation with, as appropriate, other state agencies, federally recognized Indian tribes, local governments, and other relevant stakeholders.

(ii) The work group is responsible for accomplishing the following tasks:

(A) Define net ecological gain criteria;

(B) Create monitoring and assessment criteria related to net ecological gain;

(C) Develop an assessment model to evaluate and quantify contributions to overall net ecological gain;

(D) Consider the geographic scale at which net ecological gain criteria may be effectively applied;

(E) Provide budget and policy recommendations for net ecological gain to the legislature and to the office of financial management;

(F) Identify existing state-administered or state-funded programs and projects that:

(I) Already contribute to net ecological gain;

(II) Can or should give funding priority to funding applicants that commit to incorporating net ecological gain principles; and

(III) Programs and projects that can or should have a net ecological gain requirement in the future; and

(G) Generate interim recommendations for a project to serve as a net ecological gain proof of concept within a county that chooses to adopt a net ecological gain standard.

(iii) The department may contract with an independent entity to facilitate the work group, including the tasks identified in (b) of this subsection.

(iv) The work group must submit an interim and final report of its work, including any budget and policy recommendations, to the office of financial management and the appropriate committees of the legislature no later than June 30, 2024, and June 30, 2025.

(b) Of the amount provided in this subsection, \$150,000 in fiscal year 2024 is provided solely for the department to contract with an independent entity to perform the following tasks:

(i) Review existing grant programs; and

(ii) Make recommendations on the potential addition of net ecological gain into grant prioritization criteria.

(35)(a) (~~(\$400,000)~~) \$700,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$300,000)~~) \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to initiate a demonstration project to contribute to rebuilding of salmon runs in the Lake Washington basin through suppression of predatory fish species. The project shall include:

(i) Removal of nonnative species and northern pike minnow using trap, nets, or other means;

(ii) Assessment of the benefits of reduced predator abundance on juvenile salmon survival; and

(iii) Assessment of the recreational fishing rules that were implemented in 2020 in the Lake Washington basin.

(b) An interim report on the demonstration project must be provided to the appropriate committees of the legislature by December 1, 2024.

~~((37))~~ (36) \$270,000 of the general fund—state appropriation for fiscal year 2024 and \$57,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~

~~((38))~~ (37) \$184,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((39))~~ (38) \$1,026,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((40))~~ (39) \$620,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~

~~((41))~~ (40) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

~~((42))~~ (41) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the department to enter into individual damage prevention contract agreements for the use of hiring range riders for proactive wolf-livestock conflict deterrence outside of the service area of the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020.

~~((43))~~ (42) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a conflict resolution process mediated by the federal mediation and conciliation service. This funding must be used by the department to facilitate meetings between Skagit tribes, drainage and irrigation districts, and state and federal resource agencies and support the technical work necessary to resolve conflict. Invited parties must include the national marine fisheries service, Washington state department of agriculture, Washington state department of fish and wildlife, Swinomish Indian tribal community, Upper Skagit Indian Tribe, Sauk-Suiattle Indian Tribe, and Skagit drainage and irrigation districts consortium LLC. A report documenting meeting notes, points of resolution, and recommendations must be provided to the legislature no later than June 30, 2025.

~~((44))~~ (43) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to evaluate the abundance and distribution of white and green sturgeon on the Washington coast and Puget Sound tributaries and to evaluate genetic relatedness with Columbia and Fraser river sturgeon populations. The funding is also provided to increase monitoring of the abundance and distribution of eulachon to use the information as a baseline for sturgeon and eulachon management plans.

~~((45))~~ (44) \$235,000 of the general fund—state appropriation

for fiscal year 2024 and \$409,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the department of fish and wildlife to proactively survey for wildlife disease risks and provide action plans and management for healthy wildlife in Washington.

~~((46))~~ (45) \$325,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a contract with a nonprofit organization that operates a zoological garden in King county for the purpose of an outreach campaign on pollinator health issues. The pollinator outreach campaign is intended to further the mission of the department's pollinator conservation efforts and the department of agriculture's pollinator health task force goals.

~~((47))~~ (46) Within amounts provided in this section, but not to exceed \$20,000, the department must prioritize derelict and abandoned crab pot removal in north Hood Canal.

~~((48))~~ (47) \$1,175,000 of the general fund—state appropriation for fiscal year 2024 and \$1,175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue to restore shrubsteppe habitat and associated wildlife on public lands as well as private lands by landowners who are willing to participate. The restoration effort must be coordinated with other natural resource agencies and interested stakeholders.

~~((49))~~ (48) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to address the maintenance backlog associated with providing recreation on lands managed by the department. Allowable uses include, but are not limited to, maintenance, repair, or replacement of trails, toilet facilities, roads, parking lots, campgrounds, picnic sites, water access areas, signs, kiosks, and gates. The department is encouraged to partner with nonprofit organizations in the maintenance of public lands.

~~((50))~~ (49) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to increase the work of regional fisheries enhancement groups.

~~((51))~~ (50) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to commercial fishers to modify fishing gear in order to facilitate participation in the emerging commercial fishery in the lower Columbia river, and to fund staffing and supplies needed to monitor the emerging commercial fishery on the lower Columbia river. The purpose of the grants to modify fishing gear is to support the state's efforts to develop fishing tools that allow for increased harvest of hatchery fish while minimizing impacts to salmonid species listed as threatened or endangered under the federal endangered species act. The department must provide a report of goods and services purchased with grant funds to the appropriate committees of the legislature by June 30, 2025.

(51) \$1,657,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for habitat recovery and restoration work on agency owned and managed lands damaged from wildfires.

(52) \$443,000 of the general fund—state appropriation for fiscal year 2024, \$6,313,000 of the general fund—state appropriation for fiscal year 2025, \$86,000 of the limited fish and wildlife account—state appropriation, and \$196,000 of the fish, wildlife, and conservation account—state appropriation are provided solely for additional safety capacity in each region, development of a technology solution for training requirements, increased support to remote employees, and a third-party review of the agency safety program.

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(53) \$403,000 of the general fund—state appropriation for fiscal year 2025 and \$42,000 of the general fund—private/local appropriation are provided solely for two new positions to support statewide fish health through veterinary services and maintenance support for the fish marking trailer fleet.

(54) \$224,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to conduct up to four community bear hazard assessments in communities with historical high levels of human-bear conflict. The department must submit a report to the appropriate committees of the legislature with initial funding recommendations to prioritize and implement the bear hazard assessments by December 31, 2024.

(55) \$1,810,000 of the general fund—state appropriation for fiscal year 2025 and \$1,810,000 of the general fund—federal appropriation are provided solely for monitoring and response efforts for invasive quagga mussels, which were discovered on the Snake river in Idaho in July 2023. Possible activities include coordination with tribal, federal, regional, state, and local entities, watercraft inspections and decontamination, equipment and training, monitoring of potential residential and commercial pathways, and public outreach. Matching federal funds are anticipated from a United States army corps of engineers invasive mussel cost-share program.

(56) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a grant to an organization based in Friday harbor that is focused on orcas and proposes to fill knowledge gaps through conservation research, arm policymakers with the latest available science, and engage the public with accessible information to:

(a) Use scent detection dogs to noninvasively collect fecal material to monitor and track the health of southern resident killer whales, including reproductive health, nutrition, and impacts from pollutants; and

(b) Coordinate with the department on relevant research, as appropriate.

(57) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for elk management in the Skagit valley in cooperation with affected tribes and landowners. Authorized expenditures include, but are not limited to, mitigation of the impacts of elk on agricultural crop production through elk fencing and related equipment, replacement seed and fertilizer to offset losses caused by elk, and elk deterrent equipment.

(58) \$222,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2293 (avian predation/salmon). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(59) \$801,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to rebuild an Autofish marking system.

(60) \$184,000 of the general fund—state appropriation for fiscal year 2024 and \$650,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5784 (deer & elk crop damage). Of the amounts provided in this subsection, \$50,000 in fiscal year 2025 is provided for a grant to the Yakama nation for participation in an elk collaring pilot project. If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

Sec. 309. 2023 c 475 s 309 (uncodified) is amended to read as follows:

FOR THE PUGET SOUND PARTNERSHIP

General Fund—State Appropriation (FY 2024).((~~\$9,218,000~~))
\$9,217,000

General Fund—State Appropriation (FY 2025) ((\$9,213,000))	
	\$9,288,000
General Fund—Federal Appropriation..... ((\$32,036,000))	
	\$32,043,000
Aquatic Lands Enhancement Account—State	
Appropriation ((\$1,503,000))	
	\$1,504,000
Model Toxics Control Operating Account—State	
Appropriation ((\$1,350,000))	
	\$1,351,000
TOTAL APPROPRIATION ((\$53,320,000))	
	\$53,403,000

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

(1) By October 15, 2024, the Puget Sound partnership shall provide the governor and appropriate legislative fiscal committees a single, prioritized list of state agency 2025-2027 capital and operating budget requests related to Puget Sound recovery and restoration.

(2) \$14,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(3) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the partnership to implement shipping noise reduction initiatives and monitoring programs in the Puget Sound, in coordination with Canadian and United States authorities. The partnership must contract with Washington maritime blue in order to establish and administer the quiet sound program to better understand and reduce the cumulative effects of acoustic and physical disturbance from large commercial vessels on southern resident orcas throughout their range in Washington state. Washington maritime blue will support a quiet sound leadership committee and work groups that include relevant federal and state agencies, ports, industry, research institutions, and nongovernmental organizations and consult early and often with relevant federally recognized tribes.

Sec. 310. 2023 c 475 s 310 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund—State Appropriation (FY 2024)	
..... ((\$152,490,000))	
	\$180,560,000
General Fund—State Appropriation (FY 2025)	
..... ((\$154,017,000))	
	\$159,163,000
General Fund—Federal Appropriation..... ((\$49,985,000))	
	\$98,151,000
General Fund—Private/Local Appropriation ((\$3,500,000))	
	\$6,054,000
Access Road Revolving Nonappropriated Account—State	
Appropriation \$108,000	
Climate Commitment Account—State Appropriation	
..... ((\$11,820,000))	
	\$12,682,000
Derelict Structure Removal Account—State	
Appropriation \$325,000	
((Contract Harvesting Revolving	
Nonappropriated Account—State	
Appropriation \$78,000))	
Forest Development Account—State Appropriation	
..... ((\$58,594,000))	
	\$58,600,000

Forest Fire Protection Assessment Nonappropriated Account—State Appropriation	\$88,000
Forest Health Revolving Nonappropriated Account—State Appropriation.....	\$106,000
Natural Climate Solutions Account—State Appropriation.....	(\$29,571,000)
	<u>\$40,164,000</u>
Natural Resources Federal Lands Revolving Nonappropriated Account—State Appropriation.....	\$6,000
ORV and Nonhighway Vehicle Account—State Appropriation.....	(\$7,928,000)
	<u>\$7,995,000</u>
State Forest Nursery Revolving Nonappropriated Account—State Appropriation	\$34,000
Surveys and Maps Account—State Appropriation	(\$2,376,000)
	<u>\$2,381,000</u>
Aquatic Lands Enhancement Account—State Appropriation.....	(\$20,003,000)
	<u>\$21,933,000</u>
Resource Management Cost Account—State Appropriation	(\$121,583,000)
	<u>\$123,297,000</u>
Surface Mining Reclamation Account—State Appropriation.....	(\$4,628,000)
	<u>\$4,717,000</u>
Disaster Response Account—State Appropriation	(\$23,594,000)
	<u>\$23,642,000</u>
Forest and Fish Support Account—State Appropriation	(\$12,667,000)
	<u>\$12,687,000</u>
Aquatic Land Dredged Material Disposal Site Account—State Appropriation.....	\$405,000
Natural Resources Conservation Areas Stewardship Account—State Appropriation	(\$211,000)
	<u>\$212,000</u>
Forest Practices Application Account—State Appropriation.....	(\$2,181,000)
	<u>\$2,189,000</u>
Air Pollution Control Account—State Appropriation	(\$920,000)
	<u>\$922,000</u>
Model Toxics Control Operating Account—State Appropriation.....	(\$2,000,000)
	<u>\$2,774,000</u>
Wildfire Response, Forest Restoration, and Community Resilience Account—State Appropriation.....	(\$118,115,000)
	<u>\$120,277,000</u>
Derelict Vessel Removal Account—State Appropriation	(\$10,643,000)
	<u>\$10,649,000</u>
Community Forest Trust Account—State Appropriation	\$52,000
Agricultural College Trust Management Account—State Appropriation.....	(\$4,414,000)
	<u>\$4,432,000</u>
TOTAL APPROPRIATION.....	(\$792,117,000)
	<u>\$894,605,000</u>

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

(1) \$1,857,000 of the general fund—state appropriation for fiscal year 2024 and \$1,857,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to carry out the forest practices adaptive management program pursuant to RCW 76.09.370 and the May 24, 2012,

settlement agreement entered into by the department and the department of ecology. Scientific research must be carried out according to the master project schedule and work plan of cooperative monitoring, evaluation, and research priorities adopted by the forest practices board.

(2) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the small forest landowner office, in order to restore staffing capacity reduced during the great recession and to support small forest landowners, including assistance related to forest and fish act regulations.

(3) \$1,583,000 of the general fund—state appropriation for fiscal year 2024 and \$1,515,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for deposit into the agricultural college trust management account and are provided solely to manage approximately 70,700 acres of Washington State University’s agricultural college trust lands.

(4) ~~(\$60,883,000)~~ \$88,617,000 of the general fund—state appropriation for fiscal year 2024, \$60,883,000 of the general fund—state appropriation for fiscal year 2025, and \$16,050,000 of the disaster response account—state appropriation are provided solely for emergency response, including fire suppression. The department shall provide a monthly report to the office of financial management and the appropriate fiscal and policy committees of the legislature with an update of fire suppression costs incurred and the number and type of wildfires suppressed.

(5) \$5,647,000 of the general fund—state appropriation for fiscal year 2024, \$8,470,000 of the general fund—state appropriation for fiscal year 2025, and \$330,000 of the disaster response account—state appropriation are provided solely for indirect and administrative expenses related to fire suppression.

(6) \$5,500,000 of the forest and fish support account—state appropriation is provided solely for outcome-based performance contracts with tribes to participate in the implementation of the forest practices program. Contracts awarded may only contain indirect costs set at or below the rate in the contracting tribe’s indirect cost agreement with the federal government. Of the amount provided in this subsection, \$500,000 is contingent upon receipts under RCW 82.04.261 exceeding \$8,000,000 per biennium. If receipts under RCW 82.04.261 are more than \$8,000,000 but less than \$8,500,000 for the biennium, an amount equivalent to the difference between actual receipts and \$8,500,000 shall lapse.

(7) Consistent with the recommendations of the *Wildfire Suppression Funding and Costs (18-02)* report of the joint legislative audit and review committee, the department shall submit a report to the governor and legislature by December 1, 2023, and December 1, 2024, describing the previous fire season. At a minimum, the report shall provide information for each wildfire in the state, including its location, impact by type of land ownership, the extent it involved timber or range lands, cause, size, costs, and cost-share with federal agencies and nonstate partners. The report must also be posted on the agency’s website.

(8) \$4,206,000 of the aquatic land enhancement account—state appropriation is provided solely for the removal of creosote pilings and debris from the marine environment and to continue monitoring zooplankton and eelgrass beds on state-owned aquatic lands managed by the department. Actions will address recommendations to recover the southern resident orca population and to monitor ocean acidification as well as help implement the Puget Sound action agenda.

(9) \$279,000 of the general fund—state appropriation for fiscal year 2024 and \$286,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation to the

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trust beneficiaries and department for lost revenue from leases to amateur radio operators who use space on the department managed radio towers for their equipment. The department is authorized to lease sites at the rate of up to \$100 per year, per site, per lessee. The legislature makes this appropriation to fulfill the remaining costs of the leases at market rate per RCW 79.13.510.

(10) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$2,500,000)~~) \$3,280,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to collect and refresh statewide lidar data.

(11) \$1,200,000 of the resource management cost account—state appropriation is provided solely for the agency to pursue opportunities to provide workforce housing on state trust lands.

(12)(a) \$1,500,000 of the natural climate solutions account—state appropriation is provided solely for the department, in close collaboration with the department of ecology, to convene a group composed of a balanced representation of experts and stakeholders to conduct a state ecosystem services inventory and develop a state lands ecosystem services asset plan. The plan must outline how state lands under the department's jurisdiction can be monetized, including ecosystem services credits, and utilized to reduce the overall greenhouse emissions, or increase greenhouse gas sequestration and storage, in the state, including both public and private emissions.

(b) In developing the plan, the department must:

(i) Conduct a resource and asset inventory to identify all state-owned or controlled lands under its jurisdiction that could be eligible or utilized in ecosystem services credits, including carbon offset markets;

(ii) Explore opportunities for the department to utilize its inventoried proprietary assets in offering ecosystem services credits, including carbon offset credits, both under the regulatory offset programs, such as the one established under RCW 70A.65.170, and existing or future voluntary, private ecosystem service markets, including carbon offset programs;

(iii) Develop a marginal cost abatement model to inform highest and best use of state assets in ecosystem services markets, including carbon markets;

(iv) Conduct a needs assessment in relation to marketing state-owned carbon assets on state lands under the department's jurisdiction to third party developers, including a proposed implementation plan and recommendations for plan execution;

(v) Identify any known or suspected policy or regulatory limitations to the formation and full execution of the ecosystem services inventory and asset plan identified above;

(vi) Create an implementation plan for a virtual dashboard where public and private sector participants in regulatory or voluntary carbon markets can locate the inventory created under this subsection, understand the marginal cost abatement model, and locate any requests for proposals from state asset-involved carbon projects on lands under the department's jurisdiction; and

(vii) Make recommendations for the creation of an ecosystems services equity and innovation account that includes:

(A) New modes of ecosystem services; and

(B) Identification of new or different beneficiaries of carbon investments that increase the participation of historically marginalized groups in ecosystem service opportunities.

(c) The department must report its progress and findings under this subsection to the legislature no later than December 31, 2024.

(13) \$3,166,000 of the natural climate solutions account—state appropriation is provided solely for silvicultural treatments on forested trust lands in western Washington to support maintenance of healthy, resilient forests as a critical component of climate adaptation and mitigation efforts.

(14) \$2,185,000 of the general fund—state appropriation for

fiscal year 2024 and \$1,705,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increased law enforcement capacity on agency managed lands, to develop a statewide recreation plan, and to jointly create a statewide data management system with the Washington department of fish and wildlife and the state parks and recreation commission to make informed management decisions that meet conservation goals for public lands. The agencies will also collaborate with tribal governments to ensure cultural resources and cultural practices are considered and incorporated into management plans.

(15) \$2,066,000 of the natural climate solutions account—state appropriation is provided solely for the agency to develop a comprehensive strategy to tackle barriers to reforestation, including through expanding seed collection, increasing the capacity of the state's public nursery, and addressing workforce needs.

(16) \$2,864,000 of the natural climate solutions account—state appropriation is provided solely for the agency to implement aspects of their watershed resilience action plan for the Snohomish watershed, including activities to support kelp and eelgrass stewardship, a large woody debris program, aquatic restoration grants, and culvert removal.

(17) \$5,991,000 of the natural climate solutions account—state appropriation is provided solely for investment in urban forestry to support reduction of negative environmental conditions such as heat, flooding, and pollution and helping communities become greener, cleaner, healthier, and more resilient.

(18) \$7,791,000 of the climate commitment account—state appropriation is provided solely for the agency to analyze current infrastructure and build a plan for the department to achieve its greenhouse gas emission reduction targets.

(19) \$2,365,000 of the climate commitment account—state appropriation is provided solely for the department to make investments in education and training to bolster a statewide natural resources workforce to support the health and resilience of Washington's forests. Of this amount, \$800,000 is provided solely to provide wildland fire management training to tribal communities and members.

(20) \$3,356,000 of the natural climate solutions account—state appropriation is provided solely to increase the agency's capacity to provide active management of department of natural resources natural areas.

(21) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 (~~and~~), \$1,500,000 of the general fund—state appropriation for fiscal year 2025, and \$1,817,000 of the aquatic lands enhancement account—state appropriation are provided solely for full-time and seasonal crews from the Washington conservation corps and other corps programs to conduct work benefiting the management of state managed lands, including aquatic reserves management, natural areas restoration and conservation, trail work, and forest resiliency activities as well as other recreation and habitat projects with agency partners.

(22)(a) \$475,000 of the general fund—state appropriation for fiscal year 2024, \$253,000 of the general fund—state appropriation for fiscal year 2025, and \$62,000 of the model toxics control operating account—state appropriation are provided solely for a geoduck task force. Of the amounts provided in this subsection, \$411,000 of the general fund—state appropriation for fiscal year 2024 and \$208,000 of the general fund—state appropriation for fiscal year 2025 are for the department's costs for the task force, and the remaining amounts are for the department to provide to the department of ecology, the department of fish and wildlife, and the Puget Sound partnership for their projected costs for the task force.

(b) The task force must investigate opportunities to reduce negative impacts to tribal treaty and state geoduck harvest and promote long-term opportunities to expand or sustain geoduck harvest. The task force must provide a report to the commissioner of public lands and the legislature, in compliance with RCW 43.01.036, by December 1, 2024, that includes analysis and recommendations related to the following elements:

(i) The feasibility of intervention to enhance the wildstock of geoduck, including reseeded projects;

(ii) Factors that are preventing areas from being classified for commercial harvest of wildstock geoduck or factors that are leading to existing wildstock geoduck commercial tract classification downgrade, and recommendations to sustainably and cost-effectively increase the number and area of harvestable tracts, including:

(A) Consideration of opportunities and recommendations presented in previous studies and reports;

(B) An inventory of wastewater treatment plant and surface water runoff point sources impacting state and tribal geoduck harvesting opportunities within the classified commercial shellfish growing areas in Puget Sound;

(C) A ranking of outfalls and point sources identified in (b)(ii)(B) of this subsection prioritized for future correction to mitigate downgraded classification of areas with commercial geoduck harvest opportunity;

(D) An inventory of wildstock geoduck tracts that are most impacted by poor water quality or other factors impacting classification;

(E) Consideration of the role of sediment load and urban runoff, and pathways to mitigate these impacts; and

(F) Recommendations for future actions to improve the harvest quantity of wildstock geoduck and to prioritize areas that can attain improved classification most readily, while considering the influence of outfalls ranked pursuant to (b)(ii)(C) of this subsection.

(c) The commissioner of public lands must invite the following representatives to participate in the task force:

(i) A representative of the department of natural resources, who shall serve as the chair of the task force;

(ii) Representatives of tribes with treaty or reserved rights to geoduck harvest in Washington state;

(iii) A representative of the department of ecology;

(iv) A representative of the department of health;

(v) A representative of the department of fish and wildlife;

(vi) A representative of the Puget Sound partnership; and

(vii) A representative of the academic community.

(d) The commissioner of public lands must appoint each representative. The commissioner may invite and appoint other individuals to the task force, not to exceed the number of seats of tribal entities.

(e) Members of the task force may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

(23) \$636,000 of the general fund—state appropriation for fiscal year 2024 and \$353,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1032 (wildfires/electric utilities). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(24) \$65,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1085 (plastic pollution). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(25) \$350,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed

Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(26) \$250,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(27) \$164,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(28) \$591,000 of the general fund—state appropriation for fiscal year 2024 and \$552,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5433 (derelict aquatic structures). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(29) \$431,000 of the general fund—state appropriation for fiscal year 2024 and \$331,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1498 (aviation assurance funding). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(30) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$2,500,000)~~ \$2,822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1578 (wildland fire safety). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~ Of the amounts provided in this subsection, \$322,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the agency to operate the post-fire debris flow program.

(31) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(32) \$1,000,000 of the model toxics control operating account—state appropriation is provided solely for tire removal projects in Puget Sound, with specific priority to remove tire reefs.

(33) \$321,000 of the general fund—state appropriation for fiscal year 2024 and \$427,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Senate Bill No. 5390 (forestlands/safeharbor). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(34) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$30,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to advance research and cooperation with governmental agencies of Finland and Finnish organizations to implement sustainable forestry practices. The department must report to the appropriate committees of the legislature by June 30, 2024, on the use of the funds and the research conducted and cooperation accomplished, and make recommendations for further opportunities for collaboration.

(35) \$278,000 of the natural climate solutions account—state appropriation is provided solely for the department to perform coordination and monitoring related to Puget Sound kelp conservation and recovery.

(36) \$312,000 of the general fund—state appropriation for fiscal year 2024 and \$313,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to coordinate with the Olympic natural resources

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center to study emerging ecosystem threats such as Swiss needlecast disease, fully implement the T3 watershed experiments on state trust lands, continue field trials for long-term ecosystem productivity, and engage stakeholders through learning-based collaboration. The department may expend up to \$30,000 in one fiscal year to conduct Swiss needlecast surveys.

(37) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to continue the work specified in section 3291, chapter 413, Laws of 2019 to assess public school seismic safety for school buildings not yet assessed, focused on highest risk areas of the state as a priority.

~~((39))~~ (38) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for the department to prepare commercial thinning timber sales for the purposes of restoring spotted owl and riparian habitat as specified in the 1997 state lands habitat conservation plan, facilitating access to more timber volume than is possible under normal operating funding and increasing carbon sequestration. Thinning operations in designated spotted owl management areas must be conducted in stands that do not yet meet spotted owl habitat conditions. Thinning in riparian areas must comply with department procedures for restoring riparian habitat under the 1997 state lands habitat conservation plan.

~~((40))~~ (39) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue to address the maintenance backlog associated with providing recreation on lands managed by the department. Allowable uses include, but are not limited to, maintenance, repair, or replacement of trails, toilet facilities, roads, parking lots, campgrounds, picnic sites, water access areas, signs, kiosks, and gates. The department is encouraged to partner with nonprofit organizations in the maintenance of public lands.

~~((41))~~ (40) \$175,000 of the general fund—state appropriation for fiscal year 2024 and \$175,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement a pilot project to evaluate the costs and benefits of marketing and selling specialty forest products including cedar salvage, alder, and other hardwood products. The pilot project must include: Identifying suitable areas for hardwood or cedar sales within the administrative areas of the Olympic and Pacific Cascade regions, preparing and conducting sales, and evaluating the costs and benefits from conducting the sales.

- (a) The pilot project must include an evaluation that:
 - (i) Determines if revenues from the sales are sufficient to cover the costs of preparing and conducting the sales;
 - (ii) Identifies and evaluates factors impacting the sales, including regulatory constraints, staffing levels, or other limitations;
 - (iii) Compares the specialty sales to other timber sales that combine the sale of cedar and hardwoods with other species;
 - (iv) Evaluates the bidder pool for the pilot sales and other factors that impact the costs and revenues received from the sales; and
 - (v) Evaluates the current and future prices and market trends for cedar salvage and hardwood species.

(b) The department must work with affected stakeholders and report to the appropriate committees of the legislature with the results of the pilot project and make recommendations for any changes to statute by June 30, 2025.

(41) \$857,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to

implement eradication and control measures on European green crabs on state-owned aquatic lands and adjacent lands as appropriate. The department must report to and coordinate with the department of fish and wildlife to support the department of fish and wildlife's quarterly progress reports to the legislature.

(42) \$847,000 of the general fund—state appropriation for fiscal year 2025 and \$473,000 of the model toxics control operating account—state appropriation are provided solely for the department to develop an authorized target shooting range as an alternative to dispersed shooting, lead a stakeholder-driven process to identify potential additional locations for target shooting ranges, and address lead pollution in known dispersed shooting sites.

(43) \$524,000 of the resource management cost account—state appropriation is provided solely for the agency to supplement the cost of the contract with the department of fish and wildlife for biological geoduck survey work. Within existing appropriations, the department must develop a proposal with the department of fish and wildlife for the equitable and sustainable ongoing funding of this work.

(44) \$593,000 of the natural climate solutions account—state appropriation is provided solely for the department to conduct remote sensing, stressor studies, and imagery and survey work of kelp forests and eelgrass meadows pursuant to RCW 79.135.440 and manage the native kelp forest and eelgrass meadow health and conservation plan. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(45) \$10,000,000 of the natural climate solutions account—state appropriation is provided solely for forest treatments in areas where they have the greatest potential to prevent wildfires and protect air quality. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(46) \$83,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5667 (forestry riparian easements). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(47) \$862,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 6039 (geothermal energy resources). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(48) \$307,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 6120 (wildland urban interface). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(49) \$300,000 of the model toxics control operating account—state appropriation is provided solely for a grant for the removal of tires containing 6PPD from docks serving floatplanes in salmon-bearing waterways. Funds may be used to reduce the cost of conversion to alternative products that are free of 6PPD.

Sec. 311. 2023 c 475 s 311 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund—State Appropriation (FY 2024)
..... ((\$2,938,000))

	<u>\$60,747,000</u>
General Fund—State Appropriation (FY 2025)	((\$69,710,000))
	<u>\$79,848,000</u>
General Fund—Federal Appropriation	((\$38,414,000))
	<u>\$48,282,000</u>
General Fund—Private/Local Appropriation	\$193,000
<u>Agricultural Pest and Disease Response Account—State</u>	
Appropriation	<u>\$1,000,000</u>
Aquatic Lands Enhancement Account—State	
Appropriation	((\$2,839,000))
	<u>\$2,863,000</u>
Climate Commitment Account—State	
Appropriation	((\$3,819,000))
	<u>\$7,376,000</u>
Natural Climate Solutions Account—State	
Appropriation	\$261,000
Water Quality Permit Account—State Appropriation	\$73,000
Model Toxics Control Operating Account—State	
Appropriation	((\$13,589,000))
	<u>\$13,822,000</u>
Northeast Washington Wolf-Livestock Management	
Nonappropriated Account—State Appropriation	\$1,600,000
Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation	\$36,875,000
TOTAL APPROPRIATION	((\$220,311,000))
	<u>\$252,940,000</u>

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

(1) \$18,000,000 of the general fund—state appropriation for fiscal year 2024 and \$17,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the we feed Washington program, a state alternative to the United States department of agriculture farmers to families food box program, and provide resources for hunger relief organizations.

(2) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for local food system infrastructure and market access grants.

(3) ~~(\$3,655,000)~~ \$4,992,000 of the general fund—state appropriation for fiscal year 2024 and \$3,655,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing a *Popillia japonica* monitoring and eradication program in central Washington.

(4) ~~(\$15,000,000)~~ \$5,000,000 of the general fund—state appropriation for fiscal year 2024, \$20,000,000 of the general fund—state appropriation for fiscal year 2025, and \$15,000,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely for implementing the emergency food assistance program as defined in RCW 43.23.290.

(5) \$246,000 of the general fund—state appropriation for fiscal year 2024, \$246,000 of the general fund—state appropriation for fiscal year 2025, and \$1,550,000 of the general fund—federal appropriation are provided solely for implementing a *Vespa mandarinia* eradication program.

(6) \$1,600,000 of the northeast Washington wolf-livestock management nonappropriated account—state appropriation is provided solely for the department to conduct the following:

(a) Offer grants for the northeast Washington wolf-livestock management program as provided in RCW 16.76.020, in the amount of \$1,400,000 for the biennium.

(i) Funds from the grant program must be used only for the deployment of nonlethal deterrence, specifically with the goal to reduce the likelihood of cattle being injured or killed by wolves by deploying proactive, preventative methods that have a high

probability of producing effective results. Grant proposals will be assessed partially on this intent. Grantees who use funds for range riders or herd monitoring must deploy this tool in a manner so that targeted areas with cattle are visited daily or near daily. Grantees must collaborate with other grantees of the program and other entities providing prevention efforts resulting in coordinated wolf-livestock conflict deterrence efforts, both temporally and spatially, therefore providing well timed and placed preventative coverage on the landscape. Additionally, range riders must document their activities with GPS track logs and provide written description of their efforts to the department of fish and wildlife on a monthly basis. The department shall incorporate the requirements of this subsection into contract language with the grantees.

(ii) In order to provide continuity of services to meet the long-term intent of the program, no less than \$1,100,000 of the funding allocated in this subsection (a) shall be awarded to entities who have proven ability to meet program intent as described in (a)(i) of this subsection and who have been awarded funds through this grant program or pass-through funds from the northeast Washington wolf-livestock management nonappropriated account in the past. The remaining \$300,000 may be awarded to new applicants whose applications meet program intent and all of other requirements of the program. If no applications from new entities are deemed qualified, the unused funds shall be awarded in equal amounts to successful grantees. The department retains the final decision making authority over disbursement of funds. Annual reports from grantees will be assessed for how well grant objectives were met and used to decide whether future grant funds will be awarded to past grantees.

(b) Within the amounts provided in this subsection, the department must provide \$100,000 each fiscal year to the sheriffs offices of Ferry and Stevens counties for providing a local wildlife specialist to aid the department of fish and wildlife in the management of wolves in northeast Washington.

(7) \$1,000,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for grants and technical assistance to producers and processors for meat and poultry processing.

(8) \$842,000 of the general fund—state appropriation for fiscal year 2024 and \$822,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 135, Laws of 2022, which requires the department to establish cannabis testing lab quality standards by rule.

(9) \$3,038,000 of the climate commitment account—state appropriation is provided solely to implement organic materials legislation passed in the 2022 legislative session.

(10) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to contract with Washington State University's IMPACT Center to conduct an analysis of the threats, barriers, and challenges facing the state's agricultural producers.

(11) \$581,000 of the climate commitment account—state appropriation is provided solely to implement a science-based, voluntary software program called saving tomorrow's agricultural resources (STAR) which provide producers tools to track soil health improvements and the ability to generate market-based incentives.

(12) \$1,492,000 of the model toxics control operating account—state appropriation is provided solely to increase capacity and support work to reduce nitrate pollution in groundwater from irrigated agriculture in the lower Yakima valley.

(13) ~~(\$88,000)~~ \$502,000 of the general fund—state appropriation for fiscal year 2024, \$88,000 of the general fund—

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state appropriation for fiscal year 2025, and ~~(((\$702,000)) \$1,053,000~~ of the general fund—federal appropriation are provided solely to match federal funding for eradication treatments and follow-up monitoring of invasive moths.

(14) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$120,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue the early detection program for the spotted lanternfly and the associated invasive *Ailanthus altissima*, known colloquially as tree-of-heaven, survey and control programs.

(15) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to implement changes that advance equity for underrepresented farmers and ranchers in the department's programs and services. In carrying out this duty, the department may focus on implementation of:

(a) Proequity and inclusion strategies within the activities and services of the regional markets program;

(b) Recommendations from the department's 2022 report to the legislature on equity for underrepresented farmers and ranchers; and

(c) Community-generated suggestions resulting from stakeholder engagement activities. In carrying out this duty, the department may engage with underrepresented farmers and ranchers to advise and provide guidance as the department works to implement changes to improve equity and inclusion in the department's services and programs, and where possible in the agricultural industry more broadly.

(16) \$261,000 of the natural climate solutions account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1170 (climate response strategy). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(17) \$200,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$116,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1500 (cottage food sales cap). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) The department must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(20) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a community-based organization in Whatcom county for the food and farm finder program, which connects local food producers with retail and wholesale consumers throughout the state.

(21) \$10,600,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for local food system infrastructure and market access grants, the emergency food assistance program, and a state farmers to families food box program. The total expenditures from the coronavirus state fiscal recovery fund—federal for these purposes in fiscal year 2023 and fiscal year 2024 may not exceed the total amounts provided in section 311(1), (3), and (7), chapter 334, Laws of 2021, from the coronavirus state fiscal recovery fund—federal for these

purposes.

(22) \$47,000 of the general fund—state appropriation for fiscal year 2024 and \$47,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the department to provide a grant to a food bank in Pierce county for the continued provision of food bank services to low-income individuals, including costs related to the potential relocation of the food bank.

(24) \$128,000 of the general fund—state appropriation for fiscal year 2024 and \$127,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the Tri-Cities food bank for operations including food storage.

(25) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue a shellfish coordinator position.

(26) \$635,000 of the general fund—state appropriation for fiscal year 2024 and \$635,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compliance-based laboratory analysis of pesticides in cannabis.

(27) \$220,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the agency to partner with the department of commerce to conduct a study to better understand the opportunities and challenges of using hemp as a building material.

(28) \$112,000 of the general fund—state appropriation for fiscal year 2024 and \$683,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the agency to partner with organizations to promote diversity and develop agricultural leadership and educational opportunities.

(29) \$250,000 of the climate commitment account—state appropriation is provided solely for the department to facilitate a work group and prepare a comprehensive report with recommendations regarding the establishment of a grant program to support farmers in the purchase of green fertilizer produced within the state of Washington.

(a) The work group convened by the department shall include representatives from the department of ecology, the department of commerce, Washington state agricultural organizations, manufacturers of green fertilizer products, and other relevant stakeholders as determined by the department.

(b) The work group shall review, analyze, and propose the structure of a grant program designed to encourage farmers to purchase green fertilizer produced within the state of Washington. The review shall include considerations of:

(i) The environmental benefits of green fertilizer;

(ii) Economic impacts on farmers;

(iii) The development and capacity of local green fertilizer manufacturers; and

(iv) Ensuring equitable access to the grant program among different agricultural sectors.

(c) The department shall submit a comprehensive report of its findings and recommendations to the governor and appropriate committees of the legislature no later than November 1, 2024, including a detailed plan for the administration of the proposed grant program and a recommended funding level. The report shall include legislative and regulatory changes, if necessary, to establish and manage the program effectively.

(d) If Initiative Measure No. 2117 is approved in the 2024

general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(30) \$131,000 of the climate commitment account—state appropriation is provided solely for a climate lead position. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(31) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided to the department to complete an assessment of current animal welfare issues, such as animal abandonment, rescue organization operations, and veterinary services shortages and costs. The assessment may include an estimated fiscal investment and recommendations needed to improve the animal health and welfare system in Washington. The department must report on the assessment to the appropriate committees of the legislature by June 30, 2025.

(32)(a) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a review of the department of health's commercial shellfish industry regulatory fees, including licensing, testing, and certification. In conducting this review, the department must seek input from the department of health, representatives of the commercial shellfish industry, and tribes. The study must include:

(i) Data sources and methods used by the department of health in setting or proposing fee increases for the commercial shellfish industry;

(ii) Costs associated with exercising the department of health's regulatory authority over the commercial shellfish industry;

(iii) Fees charged for comparable services in other states that regulate the commercial shellfish industry under the Model Ordinance of the Interstate Shellfish Sanitation Conference;

(iv) Regulatory fees paid by other agricultural industries in Washington, where relevant;

(v) The public benefits of the department of health's regulation of the commercial shellfish industry; and

(vi) Program efficiencies that could be achieved to reduce fees to the shellfish industry imposed by the department of health.

(b) The department must report to the appropriate committees of the legislature by June 30, 2025, with recommendations on shellfish fee amounts imposed by the department of health and any process improvements related to those fees.

(33) \$3,176,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 2301 (waste material management). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

(34) \$1,000,000 of the agricultural pest and disease response account—state appropriation is provided solely for implementation of Substitute House Bill No. 2147 (agriculture pests & diseases). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(35) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to convene and staff a work group to provide recommendations on mental health and suicide prevention for agricultural producers, farm workers, and their families, including whether an agricultural mental health hotline should be established. The work group must be cochaired by one member from the department and one other member selected from the work group. The department must provide a draft report to the appropriate committees of the legislature summarizing the

work group's recommendations by December 31, 2024, and a final report by June 30, 2025. The work group must include:

(a) One member from each of the two largest caucuses of the senate, appointed by the president of the senate;

(b) One member from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

(c) One mental health care provider from an agricultural area in western Washington, appointed by the department;

(d) One mental health care provider from a rural area in eastern Washington, appointed by the department;

(e) Two members from an agricultural organization, appointed by the department; and

(f) Two members from the department, appointed by the department.

(36) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to a Washington based nonprofit organization that supports farmworkers to help develop and share farmworker ideas to improve production in ways that are meaningful to both workers and growers. These funds must be used to conduct outreach to farmworkers, provide support, and facilitate access to educational materials, tools, and technology to further the engagement and collaboration of both farmworkers and their employers.

(37) \$315,000 of the model toxics control operating account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5972 (neonicotinoid pesticides). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(38) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to farmers to help offset the costs of gaining organic certification and the associated inspection fees.

(39)(a) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the department to administer a grant program to farmers to promote hiring local workers, providing locally grown food, reducing transportation pollution, and strengthening food sovereignty and climate and disaster resiliency.

(b) To qualify for the grant program, the farm must grow handpicked specialty crop vegetables that are provided to local markets or schools, hire only domestic agricultural workers, and be owned and operated by a state resident.

(c) Under the grant program, each farm submitting proof of eligibility for the grant program to the department may be offered grant funding in an amount up to the equivalent of four weeks of their paid overtime hours during peak harvest for their specialty crop vegetable, up to \$20,000.

(40) \$2,000,000 of the model toxics control operating account—state appropriation is provided solely for research, including, but not limited to, ongoing research and trial research; larger scale treatment trials; and permit development, including required monitoring and review, to assist with development of an integrated pest management plan to find a suitable replacement for imidacloprid to address burrowing shrimp in Willapa bay and Grays Harbor and facilitate continued shellfish cultivation on tidelands. In selecting research recipients for this purpose, the department must incorporate the advice of the Willapa-Grays Harbor working group formed on October 15, 2019. Up to eight percent of the amount provided in this subsection may be used by the department to reimburse any participating group or individual for their expenses associated with meeting participation, preparation, or travel, in accordance with chapter 43.03 RCW.

Sec. 312. 2023 c 475 s 312 (uncodified) is amended to read as follows:

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FOR THE ENERGY FACILITY SITE EVALUATION COUNCIL

General Fund—State Appropriation (FY 2024).....	(\$924,000)
	<u>\$1,109,000</u>
General Fund—State Appropriation (FY 2025).....	(\$919,000)
	<u>\$1,524,000</u>
Climate Commitment Account—State Appropriation	(\$7,369,000)
	<u>\$7,437,000</u>
Energy Facility Site Evaluation Council Account—Private/Local Appropriation	(\$26,896,000)
	<u>\$26,897,000</u>
TOTAL APPROPRIATION.....	(\$36,108,000)
	<u>\$36,967,000</u>

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

(1) \$2,352,000 of the climate commitment account—state appropriation is provided solely to support agency operations and to hire additional environmental siting and compliance positions needed to support an anticipated workload increase from new clean energy projects.

(2) \$757,000 of the climate commitment account—state appropriation is provided solely for ~~(grants to tribes to review green energy project applications)~~ preapplication development and clean energy manufacturing review, reimbursement to tribes for costs associated with clean energy project application reviews, and contracted services for green hydrogen and clean energy manufacturing programs.

(3) \$358,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting). ~~(If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~

(4) The council must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(5) \$3,902,000 of the climate commitment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5165 (electric transm. planning). ~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~

(6) \$68,000 of the climate commitment account—state appropriation is provided solely for implementation of Substitute House Bill No. 1924 (fusion technology policies). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, the amount provided in this subsection shall lapse upon the effective date of the measure.

**PART IV
TRANSPORTATION**

Sec. 401. 2023 c 475 s 401 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

General Fund—State Appropriation (FY 2024).	(\$4,041,000)
	<u>\$4,042,000</u>
General Fund—State Appropriation (FY 2025).	(\$3,640,000)
	<u>\$3,670,000</u>
Architects' License Account—State Appropriation	(\$1,759,000)
	<u>\$1,825,000</u>
Climate Investment Account—State Appropriation	<u>\$30,000,000</u>

Real Estate Commission Account—State Appropriation	(\$15,753,000)
	<u>\$15,771,000</u>
Uniform Commercial Code Account—State Appropriation	(\$3,481,000)
	<u>\$3,534,000</u>
Real Estate Education Program Account—State Appropriation	(\$316,000)
	<u>\$308,000</u>
Real Estate Appraiser Commission Account—State Appropriation	(\$2,067,000)
	<u>\$2,398,000</u>
Business and Professions Account—State Appropriation	(\$30,924,000)
	<u>\$31,377,000</u>
Real Estate Research Account—State Appropriation	\$461,000
Firearms Range Account—State Appropriation.....	\$74,000
Funeral and Cemetery Account—State Appropriation	(\$118,000)
	<u>\$125,000</u>
Landscape Architects' License Account—State Appropriation	(\$86,000)
	<u>\$95,000</u>
Appraisal Management Company Account—State Appropriation	(\$250,000)
	<u>\$258,000</u>
Concealed Pistol License Renewal Notification Account—State Appropriation	\$142,000
Geologists' Account—State Appropriation	(\$48,000)
	<u>\$55,000</u>
Derelict Vessel Removal Account—State Appropriation	\$37,000
TOTAL APPROPRIATION	(\$63,197,000)
	<u>\$94,172,000</u>

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

(1) \$142,000 of the concealed pistol license renewal notification account—state appropriation and \$74,000 of the firearms range account—state appropriation are provided solely to implement chapter 74, Laws of 2017 (concealed pistol license).

(2) \$6,000 of the general fund—state appropriation for fiscal year 2024, \$9,000 of the general fund—state appropriation for fiscal year 2025, \$8,000 of the architects' license account—state appropriation, \$74,000 of the real estate commission account—state appropriation, \$14,000 of the uniform commercial code account—state appropriation, \$10,000 of the real estate appraiser commission account—state appropriation, and \$139,000 of the business and professions account—state appropriation are provided solely for the department to redesign and improve its online services and website, and are subject to the conditions, limitations, and review requirements of section 701 of this act.

(3) \$7,000 of the general fund—state appropriation for fiscal year 2024, \$9,000 of the general fund—state appropriation for fiscal year 2025, \$5,000 of the architects' license account—state appropriation, \$43,000 of the real estate commission account—state appropriation, \$8,000 of the uniform commercial code account—state appropriation, \$8,000 of the real estate ~~(education program)~~ appraiser commission account—state appropriation, \$166,000 of the business and professions account—state appropriation, \$9,000 of the funeral and cemetery account—state appropriation, \$3,000 of the landscape architects' license account—state appropriation, \$2,000 of the appraisal management company account—state appropriation, and \$5,000 of the geologists' account—state appropriation are provided solely for implementation of Second Substitute House Bill No.

1009 (military spouse employment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(4) \$20,000 of the business and professions account—state appropriation is provided solely for implementation of House Bill No. 1017 (cosmetologists, licenses, etc.). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(5) \$320,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1143 (firearms purchase and transfer). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(6) \$5,000 of the architects' license account—state appropriation, \$31,000 of the real estate commission account—state appropriation, \$5,000 of the real estate appraiser commission account—state appropriation, \$64,000 of the business and professions account—state appropriation, \$5,000 of the funeral and cemetery account—state appropriation, \$5,000 of the landscape architects' license account—state appropriation, \$5,000 of the appraisal management company account—state appropriation, and \$5,000 of the geologists' account—state appropriation are provided solely for implementation of House Bill No. 1301 (license review and requirements). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(7) \$25,000 of the real estate ~~((appraiser))~~ commission account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5191 (real estate agency). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(8) \$19,000 of the funeral and cemetery account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5261 (cemetery authority deadlines). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(9) \$308,000 of the real estate appraiser commission account—state appropriation is provided solely for implementation of Engrossed House Bill No. 1797 (real estate appraisers). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10)(a) \$30,000,000 of the climate investment account—state appropriation is provided solely for payments to support farm fuel users and transporters who have purchased fuel for agricultural purposes that is exempt from the requirements of the climate commitment act, as described in RCW 70A.65.080(7)(e). The payment structure outlined in (b) of this subsection is intended to:

(i) Benefit farming and transportation operations, prioritizing noncorporate farms;

(ii) Enable ease of use and accessibility for recipients; and

(iii) Promote speed and efficiency in administering the payments.

(b) The department must use a tiered system of payments based on the annual number of gallons of agricultural fuel consumed, as determined by the farm fuel user or transporter in a signed attestation. The department shall use the following payment tiers:

(i) \$600 to recipients with annual agricultural fuel use of less than 1,000 gallons;

(ii) \$2,300 to recipients with annual agricultural fuel use greater than or equal to 1,000 gallons and less than 4,000 gallons; and

(iii) \$3,400 to recipients with annual agricultural fuel use greater than or equal to 4,000 gallons and less than 10,000 gallons; and

(iv) \$4,500 to recipients with annual agricultural fuel use greater than or equal to 10,000 gallons.

(c) Recipients of payments under this subsection may submit receipts and other documentation as part of their attestation showing that they were overcharged for fuel costs due to the impact of chapter 70A.65 RCW.

(d) The department may use no more than five percent of the amounts appropriated for this specific purpose on administration. The department must begin providing payments by September 1, 2024. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(11) \$55,000 of the business and professions account—state appropriation is provided solely for implementation of Substitute House Bill No. 1889 (professionals/immigration). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$45,000 of the architects' license account—state appropriation is provided solely for implementation of Substitute House Bill No. 1880 (architecture licensing exams). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 402. 2023 c 475 s 402 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

General Fund—State Appropriation (FY 2024)	((\$77,651,000))
	<u>\$77,176,000</u>
General Fund—State Appropriation (FY 2025)	((\$78,281,000))
	<u>\$85,297,000</u>
General Fund—Federal Appropriation.....	\$16,972,000
General Fund—Private/Local Appropriation	\$3,091,000
Death Investigations Account—State Appropriation	((\$9,145,000))
	<u>\$9,593,000</u>
County Criminal Justice Assistance Account—State	
Appropriation	\$4,893,000
Municipal Criminal Justice Assistance Account—State	
Appropriation	\$1,800,000
Fire Service Trust Account—State Appropriation	\$131,000
Vehicle License Fraud Account—State Appropriation	..... \$119,000
Disaster Response Account—State Appropriation	((\$8,000,000))
	<u>\$23,500,000</u>
Fire Service Training Account—State Appropriation	((\$13,456,000))
	<u>\$13,457,000</u>
Model Toxics Control Operating Account—State	
Appropriation	\$596,000
Fingerprint Identification Account—State	
Appropriation	\$15,200,000
TOTAL APPROPRIATION	((\$229,335,000))
	<u>\$251,825,000</u>

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

(1) ~~((~~\$8,000,000~~))~~ \$23,500,000 of the disaster response account—state appropriation is provided solely for Washington state fire service resource mobilization costs incurred in response to an emergency or disaster authorized under RCW 43.43.960 through 43.43.964. The state patrol shall submit a report quarterly to the office of financial management and the legislative fiscal committees detailing information on current and planned expenditures from this account. This work shall be done in coordination with the military department.

(2) \$79,000 of the general fund—state appropriation for fiscal

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year 2024 and \$146,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation adjustments for commissioned staff as provided for in the omnibus transportation appropriations act.

(3) \$20,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1452 (medical reserve corps). ~~(If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~

(4) \$16,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1179 (nonconviction data/auditor). ~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~

(5) \$26,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Substitute House Bill No. 1069 (mental health counselor compensation). ~~(If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~

(6) \$500,000 of the disaster response account—state appropriation, is provided solely to continue a pilot project for the early deployment or prepositioning of Washington state fire service resources in advance of an expected mobilization event. Any authorization for the deployment of resources under this section must be authorized in accordance with section 6 of the Washington state fire services resource mobilization plan.

(7) \$320,000 of the general fund—state appropriation for fiscal year 2024 and \$68,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5367 (products containing THC). ~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~

(8) \$1,133,000 of the fingerprint identification account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5499 (multistate nurse licensure). ~~(If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~

(9) \$1,000,000 of the fire service training account—state appropriation is provided solely for the firefighter apprenticeship training program.

(10) \$12,000 of the general fund—state appropriation for fiscal year 2024 and \$12,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support the Washington state missing and murdered indigenous women and people task force in section 912 of this act.

(11) In fiscal year 2025, the Washington state patrol may initiate procurement of a Pilatus PC-12 aircraft and a forward-looking infrared camera. It is the intent of the legislature to provide an appropriation for the purchase of the aircraft in future fiscal biennia.

(12) \$18,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2357 (state patrol longevity bonus). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13)(a) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for financial assistance to local jurisdictions to conduct DNA testing for unidentified remains, and for those remains that failed to yield a CODIS match, for forensic genetic genealogy DNA testing to be conducted. Local jurisdictions may contract for these services. The purpose of this funding is to provide sufficient funding to eliminate the backlog of unidentified remains awaiting testing. This funding is intended to supplement DNA testing and investigative genealogy available

through the national missing and unidentified persons system or the Washington state patrol crime lab to provide timely identification of remains and entry into CODIS, and should be prioritized for cases not meeting eligibility requirements for the national missing and unidentified persons system or cases already tested for DNA analysis that failed to yield a CODIS match.

(b) For purposes of this subsection, "forensic genetic genealogy DNA testing" means any technology performed in a forensic laboratory capable of producing a forensic genealogy profile with a minimum of 100,000 genetic markers and compatible with multiple genealogical databases consented for law enforcement use and includes associated genealogical research.

(c) Records from the DNA testing or forensic genetic genealogy DNA testing, including DNA profiles and markers, of unidentified remains funded under this subsection are sensitive and shall be treated as confidential to the fullest extent allowed under the law.

(14) Any funds provided to the missing and exploited children task force shall ensure operations are adherent to federally established internet crimes against children standards.

(15) Within existing resources, the Washington state patrol may provide security and protection to the secretary of state and to his or her family during a presidential election campaign and through two weeks following inauguration.

(16) \$2,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5299 (law enf. officer protection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(17) \$89,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5812 (electric vehicle fires). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

**PART V
EDUCATION**

Sec. 501. 2023 c 475 s 501 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

General Fund—State Appropriation (FY 2024)	(\$46,191,000)
	\$46,161,000
General Fund—State Appropriation (FY 2025)	(\$45,208,000)
	\$61,189,000
General Fund—Federal Appropriation.....	(\$108,354,000)
	\$148,570,000
General Fund—Private/Local Appropriation	\$8,079,000
Dedicated Cannabis Account—State Appropriation (FY 2024).....	\$593,000
Dedicated Cannabis Account—State Appropriation (FY 2025).....	\$618,000
Washington Opportunity Pathways Account—State Appropriation	(\$8,429,000)
	\$8,639,000
Performance Audits of Government Account—State Appropriation	\$213,000
Workforce Education Investment Account—State Appropriation	(\$9,479,000)
	\$12,979,000
Elementary and Secondary School Emergency Relief III Account—Federal Appropriation	\$3,524,000
TOTAL APPROPRIATION	(\$230,688,000)
	\$290,565,000

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

(1) BASE OPERATIONS AND EXPENSES OF THE OFFICE

(a) (~~(\$21,778,000)~~) \$22,323,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$21,778,000)~~) \$22,814,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation and expenses of the office of the superintendent of public instruction.

(i) The superintendent shall recognize the extraordinary accomplishments of four students who have demonstrated a strong understanding of the civics essential learning requirements to receive the Daniel J. Evans civic education award.

(ii) By October 31st of each year, the office of the superintendent of public instruction shall produce an annual status report on implementation of the budget provisos in section 501, chapter 415, Laws of 2019 and sections 515 and 522, chapter 334, Laws of 2021. The status report of each proviso shall include, but not be limited to, the following information: Purpose and objective, number of state staff funded by the proviso, number of contractors, status of proviso implementation, number of beneficiaries by year, list of beneficiaries, a comparison of budgeted funding and actual expenditures, other sources and amounts of funding, and proviso outcomes and achievements.

(iii) Districts shall annually report to the office of the superintendent of public instruction on: (A) The annual number of graduating high school seniors within the district earning the Washington state seal of biliteracy provided in RCW 28A.300.575; and (B) the number of high school students earning competency-based high school credits for world languages by demonstrating proficiency in a language other than English. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by December 1st of each year.

(iv) The office of the superintendent of public instruction shall perform ongoing program reviews of alternative learning experience programs, dropout reengagement programs, and other high risk programs. Findings from the program reviews will be used to support and prioritize the office of the superintendent of public instruction outreach and education efforts that assist school districts in implementing the programs in accordance with statute and legislative intent, as well as to support financial and performance audit work conducted by the office of the state auditor.

(v) The superintendent of public instruction shall integrate climate change content into the Washington state learning standards across subject areas and grade levels. The office shall develop materials and resources that accompany the updated learning standards that encourage school districts to develop interdisciplinary units focused on climate change that include authentic learning experiences, that integrate a range of perspectives, and that are action oriented.

(vi) Funding provided in this subsection (1)(a) is sufficient for maintenance of the apportionment system, including technical staff and the data governance working group.

(vii) Of the amounts provided in this subsection (1)(a), \$465,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for office of the attorney general legal services related to special education related litigation.

(b) \$494,000 of the general fund—state appropriation for fiscal year 2024 and \$494,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 240, Laws of 2010, including staffing the office of equity and civil rights.

(c) \$61,000 of the general fund—state appropriation for fiscal year 2024 and \$61,000 of the general fund—state appropriation

for fiscal year 2025 are provided solely for the ongoing work of the education opportunity gap oversight and accountability committee.

(d) \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 380, Laws of 2009 (enacting the interstate compact on educational opportunity for military children).

(e) \$285,000 of the Washington opportunity pathways account—state appropriation is provided solely for activities related to public schools other than common schools authorized under chapter 28A.710 RCW.

(f) \$123,000 of the general fund—state appropriation for fiscal year 2024 and \$123,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 163, Laws of 2012 (foster care outcomes). The office of the superintendent of public instruction shall annually report each December on the implementation of the state's plan of cross-system collaboration to promote educational stability and improve education outcomes of foster youth.

(g) (~~(\$1,060,000)~~) \$880,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$1,060,000)~~) \$1,240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of native education to increase services to tribes, including but not limited to, providing assistance to tribes and school districts to implement Since Time Immemorial, applying to become tribal compact schools, convening the Washington state native American education advisory committee, and extending professional learning opportunities to provide instruction in tribal history, culture, and government. The professional development must be done in collaboration with school district administrators and school directors. Funding in this subsection is sufficient for the office, the Washington state school directors' association government-to-government task force, and the association of educational service districts to collaborate with the tribal leaders congress on education to develop a tribal consultation training and schedule. Of the amounts provided in this subsection: (~~(\$525,000)~~) \$345,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$525,000)~~) \$705,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of native education to convene a work group to develop the supports necessary to serve American Indian and Alaska Native students identified as needing additional literacy supports. The work group must include representation from Washington's federally recognized tribes and federally recognized tribes with reserved treaty rights in Washington. The work group must conduct tribal consultations, develop best practices, engage in professional learning, and develop curricula and resources that may be provided to school districts and state-tribal education compact schools to serve American Indian and Alaska Native students with appropriate, culturally affirming literacy supports.

(h) \$481,000 of the general fund—state appropriation for fiscal year 2024 and \$481,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional full-time equivalent staff to support the work of the safety net committee and to provide training and support to districts applying for safety net awards.

(i) Districts shall report to the office the results of each collective bargaining agreement for certificated staff within their district using a uniform template as required by the superintendent, within thirty days of finalizing contracts. The data must include but is not limited to: Minimum and maximum base salaries, supplemental salary information, and average percent increase for all certificated instructional staff. Within existing resources by December 1st of each year, the office shall produce

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a report for the legislative evaluation and accountability program committee summarizing the district level collective bargaining agreement data.

(j) \$3,524,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for administrative costs related to the management of federal funds provided for COVID-19 response and other emergency needs.

(k) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office of the superintendent of public instruction to plan for the development and implementation of a common substitute teacher application platform.

(l) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to hire a mental health instruction implementation coordinator to facilitate the addition of mental health education curriculum in schools, including but not limited to the following activities:

(i) Working with the educational service districts to build awareness of learning benefits and resource availability;

(ii) Providing training and support to school staff in the implementation of mental health education and integration into existing health curriculum;

(iii) Facilitating office website updates to reflect available mental health instruction resources and supporting data; and

(iv) Facilitating the addition of mental health literacy components to state learning standards and updating social emotional learning standards to reflect differentiation between the two programs and the grade-appropriate nature of each program.

(m) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to hire staff to support school districts applying for grants funded by the state of Washington and grants from other public or private sources for which the school district may be eligible. The office must prioritize supporting school districts with smaller student enrollments, tax bases, and operating budgets, and other factors that may preclude or otherwise limit the ability of a school district to apply for grants for which it may be eligible.

(2) DATA SYSTEMS

(a) \$1,802,000 of the general fund—state appropriation for fiscal year 2024 and \$1,802,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementing a comprehensive data system to include financial, student, and educator data, including development and maintenance of the comprehensive education data and research system (CEDARS).

(b) \$281,000 of the general fund—state appropriation for fiscal year 2024 and \$281,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for K-20 telecommunications network technical support in the K-12 sector to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(c) \$450,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent of public instruction to develop and implement a statewide accountability system to address absenteeism and to improve student graduation rates. The system must use data to engage schools and districts in identifying successful strategies and systems that are based on federal and state accountability measures. Funding may also support the effort to provide

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assistance about successful strategies and systems to districts and schools that are underperforming in the targeted student subgroups.

(d) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to conduct a feasibility study for an online, statewide individualized education program system. A contract with a third party may be used to conduct all or any portion of the study. The results of the feasibility study must be reported to the appropriate fiscal and education committees of the legislature by June 30, 2025.

(3) WORK GROUPS

(a) \$68,000 of the general fund—state appropriation for fiscal year 2024 and \$68,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(b) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to meet statutory obligations related to the provision of medically and scientifically accurate, age-appropriate, and inclusive sexual health education as authorized by chapter 206, Laws of 1988 (AIDS omnibus act) and chapter 265, Laws of 2007 (healthy youth act).

(c) \$118,000 of the general fund—state appropriation for fiscal year 2024 and \$118,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 75, Laws of 2018 (dyslexia).

(d) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 386, Laws of 2019 (social emotional learning).

(e) \$107,000 of the general fund—state appropriation for fiscal year 2024 and \$107,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to support the children and youth behavioral health work group created in chapter 130, Laws of 2020 (child. mental health wk. grp).

(4) STATEWIDE PROGRAMS

(a) \$2,590,000 of the general fund—state appropriation for fiscal year 2024 and \$2,590,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington kindergarten inventory of developing skills. State funding shall support statewide administration and district implementation of the inventory under RCW 28A.655.080.

(b) \$703,000 of the general fund—state appropriation for fiscal year 2024 and \$703,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 72, Laws of 2016 (educational opportunity gap).

(c) \$950,000 of the general fund—state appropriation for fiscal year 2024 and \$950,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington reading corps. The superintendent shall allocate reading corps members to schools identified for comprehensive or targeted support and school districts that are implementing comprehensive, proven, research-based reading programs. Two or more schools may combine their Washington reading corps programs.

(d) \$457,000 of the general fund—state appropriation for fiscal year 2024 and \$260,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for chapter 102, Laws of 2014 (biliteracy seal). Of the amounts provided in this subsection:

(i) \$197,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to develop and establish

criteria for school districts to award the seal of biliteracy to graduating high school students.

(i) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to provide students with access to methods for students to demonstrate proficiency in less commonly taught or assessed languages.

(e)(i) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for school bullying and harassment prevention activities.

(ii) \$15,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 240, Laws of 2016 (school safety).

(iii) \$570,000 of the general fund—state appropriation for fiscal year 2024 and \$570,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide statewide support and coordination for the regional network of behavioral health, school safety, and threat assessment established in chapter 333, Laws of 2019 (school safety and well-being).

(iv) \$196,000 of the general fund—state appropriation for fiscal year 2024 and \$196,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the school safety center within the office of the superintendent of public instruction.

(A) Within the amounts provided in this subsection (4)(e)(iv), \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a school safety program to provide school safety training for all school administrators and school safety personnel. The school safety center advisory committee shall develop and revise the training program, using the best practices in school safety.

(B) Within the amounts provided in this subsection (4)(e)(iv), \$96,000 of the general fund—state appropriation for fiscal year 2024 and \$96,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administration of the school safety center. The safety center shall act as an information dissemination and resource center when an incident occurs in a school district in Washington or in another state, coordinate activities relating to school safety, review and approve manuals and curricula used for school safety models and training, and maintain a school safety information web site.

(f)(i) \$162,000 of the general fund—state appropriation for fiscal year 2024 and \$162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for youth suicide prevention activities.

(ii) \$76,000 of the general fund—state appropriation for fiscal year 2024 and \$76,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 64, Laws of 2018 (sexual abuse of students).

(g)(i) \$280,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$280,000)~~ \$530,000 of the general fund—state appropriation for fiscal year 2025, \$593,000 of the dedicated cannabis account—state appropriation for fiscal year 2024, and \$618,000 of the dedicated cannabis account—state appropriation for fiscal year 2025 are provided solely for dropout prevention, intervention, and reengagement programs ~~(including the jobs for America's graduates (JAG) program)~~, dropout prevention programs that provide student mentoring, and the building bridges statewide program. ~~((Students in the foster care system or who are homeless shall be given priority by districts offering the jobs for America's graduates program.))~~ The office of the

superintendent of public instruction shall convene staff representatives from high schools to meet and share best practices for dropout prevention. Of these amounts, the entire dedicated cannabis account—state appropriation is provided solely for the building bridges statewide program and for grants to districts for life skills training for children and youth in K-12.

(ii) \$293,000 of the general fund—state appropriation for fiscal year 2024 and \$293,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to support district implementation of comprehensive guidance and planning programs in support of high-quality high school and beyond plans consistent with RCW 28A.230.090.

(iii) \$178,000 of the general fund—state appropriation for fiscal year 2024 and \$178,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 291, Laws of 2017 (truancy reduction efforts).

(h) Sufficient amounts are appropriated in this section for the office of the superintendent of public instruction to create a process and provide assistance to school districts in planning for future implementation of the summer knowledge improvement program grants.

(i) \$358,000 of the general fund—state appropriation for fiscal year 2024 and \$358,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 221, Laws of 2019 (CTE course equivalencies).

(j) \$196,000 of the general fund—state appropriation for fiscal year 2024 and \$196,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 252, Laws of 2019 (high school graduation reqs.).

(k) \$60,000 of the general fund—state appropriation for fiscal year 2024, \$60,000 of the general fund—state appropriation for fiscal year 2025, and \$680,000 of the general fund—federal appropriation are provided solely for the implementation of chapter 295, Laws of 2019 (educator workforce supply). Of the amounts provided in this subsection, \$680,000 of the general fund—federal appropriation is provided solely for title II SEA state-level activities to implement section 103, chapter 295, Laws of 2019 relating to the regional recruiters program.

(l) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a tribal liaison at the office of the superintendent of public instruction to facilitate access to and support enrollment in career connected learning opportunities for tribal students, including career awareness and exploration, career preparation, and career launch programs, as defined in RCW 28C.30.020, so that tribal students may receive high school or college credit to the maximum extent possible.

(m) \$57,000 of the general fund—state appropriation for fiscal year 2024 and \$57,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 288, Laws of 2020 (school meals at no cost).

(n) \$269,000 of the general fund—state appropriation for fiscal year 2024 and \$142,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 353, Laws of 2020 (innovative learning pilot).

(o) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide statewide coordination towards multicultural, culturally responsive, and anti-racist education to support academically, socially, and culturally literate learners. The office must engage community members and key interested parties to:

(i) Develop a clear definition and framework for African

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American studies to guide instruction in grades seven through twelve;

(ii) Develop a plan for aligning African American studies across all content areas; and

(iii) Identify professional development opportunities for educators and administrators to build capacity in creating high-quality learning environments centered in belonging and racial equity, anti-racist approaches, and asset-based methodologies that pull from all students' cultural funds of knowledge.

(p) \$49,000 of the general fund—state appropriation for fiscal year 2024 and \$49,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 38, Laws of 2021 (K-12 safety & security serv.).

(q) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 111, Laws of 2021 (learning assistance program).

(r) \$1,152,000 of the general fund—state appropriation for fiscal year 2024 and \$1,157,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 164, Laws of 2021 (institutional ed./release).

(s) \$553,000 of the general fund—state appropriation for fiscal year 2024 and \$553,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to develop and implement a mathematics pathways pilot to modernize algebra II. The office should use research and engage stakeholders to develop a revised and expanded course.

(t) \$3,348,000 of the general fund—state appropriation for fiscal year 2024 and \$3,348,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 107, Laws of 2022 (language access in schools).

(u) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent to establish a media literacy and digital citizenship ambassador program to promote the integration of media literacy and digital citizenship instruction.

(v) \$294,000 of the general fund—state appropriation for fiscal year 2024 and \$294,000 of the general fund—state appropriation for fiscal year 2025 provided solely for implementation of chapter 9, Laws of 2022 (school consultation/tribes).

(w)(i) \$8,144,000 of the Washington state opportunity pathways account—state appropriation is provided solely for support to small school districts and public schools receiving allocations under chapters 28A.710 and 28A.715 RCW in the 2022-23 school year that have less than 800 enrolled students, are located in urban or suburban areas, and budgeted for less than \$20,000 per pupil in general fund expenditures in the 2022-23 school year. For eligible school districts and schools, the superintendent of public instruction must allocate an amount equal to the lesser of amount 1 or amount 2, as provided in (w)(i) ~~(and (ii))~~ (A) and (B) of this subsection, multiplied by the school district or school's budgeted enrollment in the 2022-23 school year.

~~((+))~~ (A) Amount 1 is \$1,550.

~~((+))~~ (B) Amount 2 is \$20,000 minus the school district or school's budgeted general fund expenditures per pupil in the 2022-23 school year.

(ii) \$210,000 of the Washington state opportunity pathways account—state appropriation is provided solely for support to public schools receiving allocations under chapter 28A.715 RCW in the 2023-24 school year that have less than 800 enrolled

students, are located in urban or suburban areas, and expended less than \$20,000 per pupil in general fund expenditures in the 2022-23 school year. For eligible schools, the superintendent of public instruction must allocate an amount equal to the lesser of amount 1 or amount 2, as provided in (w)(ii)(A) and (B) of this subsection, multiplied by the school's actual enrollment in the 2022-23 school year.

(A) Amount 1 is \$1,550.

(B) Amount 2 is \$20,000 minus the school's general fund expenditures per pupil in the 2022-23 school year.

(x) \$76,000 of the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5072 (highly capable students). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(y) \$72,000 of the general fund—state appropriation for fiscal year 2024 and ~~((96,000))~~ \$4,663,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5243 (high school and beyond plan). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(z) \$17,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5257 (elementary school recess). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(aa) \$169,000 of the general fund—state appropriation for fiscal year 2024 and ~~((76,000))~~ \$487,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5315 (special education/nonpublic). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(bb) \$39,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Senate Bill No. 5403 (school depreciation subfunds). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(cc) \$532,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute Senate Bill No. 5593 (student data transfer). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(dd) \$51,000 of the general fund—state appropriation for fiscal year 2024 and \$36,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5617 (career and technical education courses). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(ee) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a community-based youth development nonprofit organization for a pilot program to provide behavioral health support for youth and trauma-informed, culturally responsive staff training.

(ff) \$50,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to consult with one or two public high schools that offer established courses in the early childhood development and services career pathway and develop model materials that may be employed by other school districts with an interest in establishing or expanding similar instructional

offerings to students. The model materials must be developed by January 1, 2024.

(gg) \$62,000 of the general fund—state appropriation for fiscal year 2024 and \$62,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of a deliberative democratic climate change education program in public high schools based on the Washington student climate assembly pilot program. The office must use the funding to develop and promote a full curriculum for student climate assemblies that can be replicated in public high schools across the state and to fund a part-time statewide coordinator position to oversee program outreach and implementation. By January 1, 2025, the office must collect and evaluate feedback from teachers, students, local government employees, and elected officials participating in the pilot program and report to the legislature on options to improve, expand, and extend the program.

(hh) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nongovernmental agency to coordinate and serve as a fiscal agent and to cover direct costs of the project education impact workgroup to achieve educational parity for students experiencing foster care and/or homelessness, consistent with chapter 233, Laws of 2020. The office must contract with a nongovernmental agency with experience coordinating administrative and fiscal support for project education impact.

(ii) \$150,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract for a feasibility study for the creation of a maritime academy on the Olympic peninsula. The study must include the scope, location, design, and budget for the construction of the maritime academy. The study must include plans to address systems, policies, and practices that address disparities of historically marginalized communities in the maritime industry. A preliminary report is due to the legislature by December 1, 2023, with the final feasibility study due to the legislature by June 3, 2024. Funding provided in this subsection may be matched by a nonprofit organization that provides high school students with accredited career and technical postsecondary education for maritime vessel operations and maritime curriculum to high schools in Jefferson, Clallam, Kitsap, King, Mason, Pierce, Island, and Snohomish counties.

(jj) \$74,000 of the general fund—state appropriation for fiscal year 2024 and \$69,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1701 (institutional ed. programs). ~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~

(kk) \$141,000 of the general fund—state appropriation for fiscal year 2024 and \$130,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of House Bill No. 1308 (graduation pathway options). ~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~

(ll) \$73,000 of the general fund—state appropriation for fiscal year 2024 and \$72,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute House Bill No. 1346 (purple star award). ~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~

(mm)(i) ~~(\$2,500,000)~~ \$1,900,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$2,500,000)~~ \$8,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to provide statewide professional development and technical assistance to school districts and to provide a limited number of grants for demonstration projects. The demonstration projects must build school-level and district-

level systems that eliminate student isolation, track and reduce restraint use, and build schoolwide systems to support students in distress and prevent crisis escalation cycles that may result in restraint or isolation. The schoolwide systems must include trauma-informed positive behavior and intervention supports, de-escalation, and problem-solving skills. Of the amounts provided in this subsection:

(A) ~~(\$1,000,000)~~ \$400,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,000,000)~~ \$1,600,000 of the general fund—state appropriation for fiscal year 2025 are for grants for ~~(10)~~ district demonstration sites;

(B) \$1,334,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$1,334,000)~~ \$6,334,000 of the general fund—state appropriation for fiscal year 2025 are for professional development and training, including professional development in inclusionary practices for classroom teachers. Funding must be prioritized to public schools with the highest percentage of students with individualized education programs aged three through 21 who spend the least amount of time in general education classrooms; and

(C) \$166,000 of the general fund—state appropriation for fiscal year 2024 and \$166,000 of the general fund—state appropriation for fiscal year 2025 are for staff and administration support for the demonstration sites and the professional development and training.

(ii) The office must create a technical assistance manual to support the elimination of isolation and reduction of restraint and room clears based on the results of the demonstration projects, and must provide ~~(a)~~ an initial report to the educational opportunity gap oversight and accountability committee and the education committees of the legislature by September ~~(4)~~ 30, 2024, and a final report by June 30, 2025. The reports must include:

(A) A status update on demonstration projects that occurred during the 2023-24 school year, the technical assistance manual, and professional development offered statewide;

(B) Key implementation challenges and findings; and

(C) Recommendations for statewide policy changes or funding, including information on the amount of professional development needed across the state.

(iii) In developing the manual, the office must consult with, at minimum:

(A) Representatives from state associations representing both certificated and classified staff;

(B) An association representing principals;

(C) An association representing school administrators;

(D) The Washington state school directors' association;

(E) An association representing parents;

(F) An individual with lived experience of restraint and isolation; and

(G) A representative of the protection and advocacy agency of Washington.

(iv) The office must prioritize the provision of professional development and selection of the demonstration sites to local education agencies, educational programs, and staff who provide educational services to students in prekindergarten through grade five and who have high incidents of isolation, restraint, or injury related to use of restraint or isolation. Grant recipients must commit to isolation phaseout and must report on restraint reduction and progress to the office by June 30, 2025.

(nn) \$430,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 5462 (inclusive learning standards). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(oo) \$28,000 of the general fund—state appropriation for fiscal

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year 2025 is provided solely for implementation of Senate Bill No. 5647 (school safety/temp employees). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(pp) \$5,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Engrossed Substitute House Bill No. 1377 (continuing education/K-12). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(qq) \$3,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6053 (education data sharing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(rr) \$30,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to create and distribute age appropriate promotional and educational materials to school districts for Americans of Chinese descent history month.

(ss) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to examine how free and reduced-price school meal data is used as a funding driver for programs such as the learning assistance program and provide recommendations for an alternative metric or metrics to the legislature by January 1, 2025. The office may collaborate with other state agencies that maintain income and poverty data to develop alternative metrics, including but not limited to the department of social and health services, the student achievement council, and the health care authority. In creating recommendations, the office shall work with educational stakeholders including organizations representing of principals, school board directors, certificated teachers, and classified staff. The office may contract with a third party to conduct all or any portion of the work.

(tt) \$183,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to collaborate with the department of agriculture and the department of labor and industries on a study that, at a minimum, examines factors that impact children of seasonal farmworkers in comparison to migrant students in the following areas: School and program access, school readiness, attendance, grade promotion and retention, performance on state assessments, academic growth, graduation rates, discipline rates, and teacher qualifications and years of experience. The study must also investigate student access to postsecondary education and career opportunities in formerly rural or agricultural communities.

(uu) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to develop guidance and provide technical assistance to school districts on the implementation of Initiative Measure No. 2081. To ensure that public schools and school districts are in compliance with state and federal laws related to student privacy, antidiscrimination, and harassment, intimidation and bullying, the office shall provide technical assistance and monitor local school district implementation, as needed. By July 1, 2024, the office shall develop a tool and identify a process for community members to send and for the office to receive and track questions and concerns related to implementation. The process must be publicly available on the agency website. The office shall submit monthly reports to the legislature which include a status update on implementation including challenges, frequently asked

questions, and a summary of technical assistance.

(vv) \$1,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to conduct a one-time compliance review of every school district in Washington state between July 2024 and July 2025 related to compliance with state nondiscrimination laws, chapters 28A.640 and 28A.642 RCW, and federal nondiscrimination laws. The office shall utilize the compliance monitoring process that has been established in chapter 392-190 WAC and may utilize the regional educational service districts to assist in the reviews as appropriate under RCW 28A.310.010(2). Reviews may be conducted as desk reviews with selected on-site reviews where the office deems additional follow-up may be necessary to the desk review. The office shall provide a report to the legislature by December 1, 2025, summarizing the results of these compliance reviews and shall include a summary of types of noncompliance found, any corrective actions taken by the office or the school district, and school district responses to issues of noncompliance that were found during the compliance review process.

(ww) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Third Substitute House Bill No. 1228 (dual & tribal language edu.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(xx) \$21,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Fourth Substitute House Bill No. 1239 (educator ethics & complaints). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(yy) \$334,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Second Substitute House Bill No. 1956 (substance use prevention ed.). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(5) CAREER CONNECTED LEARNING

(a) \$919,000 of the workforce education investment account—state appropriation is provided solely for expanding career connected learning as provided in RCW 28C.30.020.

(b) \$960,000 of the workforce education investment account—state appropriation is provided solely for increasing the funding per full-time equivalent for career launch programs as described in RCW 28A.700.130. In the 2023-2025 fiscal biennium, for career launch enrollment exceeding the funding provided in this subsection, funding is provided in section 504 of this act.

(c) \$3,600,000 of the workforce education investment account—state appropriation is provided solely for the office of the superintendent of public instruction to administer grants to skill centers for nursing programs to purchase or upgrade simulation laboratory equipment.

(d) \$4,000,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1013 (regional apprenticeship prgs.). ~~(If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~ Of the amount provided in this subsection, \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the Marysville school district to collaborate with Arlington school district, Everett Community College, other local school districts, local labor unions, local Washington state apprenticeship and training council registered apprenticeship programs, and local industry groups to continue the regional apprenticeship pathways program.

(e) \$3,000,000 of the workforce education investment account—state appropriation is provided solely for the office to

contract with a community-based organization to prepare students to enroll in and enter college through one-on-one advising, workshops and help sessions, guest speakers and panel presentations, community building activities, campus visits, workplace field trips, and college/career resources and to fund the oversight of the grantee or grantees.

(f) \$500,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2236 (tech. ed. core plus programs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 502. 2023 c 475 s 502 (uncodified) is amended to read as follows:

FOR THE STATE BOARD OF EDUCATION

General Fund—State Appropriation (FY 2024).....	\$2,155,000
General Fund—State Appropriation (FY 2025).((\$6,695,000))	<u>\$6,840,000</u>
Elementary and Secondary School Emergency Relief III Account—Federal Appropriation	\$1,779,000
Washington Opportunity Pathways Account—State Appropriation.....((\$353,000))	<u>\$352,000</u>
TOTAL APPROPRIATION..... ((\$10,982,000))	<u>\$11,126,000</u>

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

(1) \$1,852,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$1,864,000)~~) \$1,954,000 of the general fund—state appropriation for fiscal year 2025 are for the operation and expenses of the state board of education.

(2) \$1,779,000 of the elementary and secondary school emergency relief III account—federal appropriation, \$280,000 of the general fund—state appropriation for fiscal year 2024, and \$4,808,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the state board of education for implementation of mastery-based learning in school district demonstration sites. The state board of education shall require grant recipients to report on impacts and participate in a collaborative to share best practices. The funds must be used for grants to school districts, charter schools, or state tribal education compact schools established under chapter 28A.715 RCW; professional development of educators; development of a resource suite for school districts statewide; evaluation of the demonstration project; implementation and policy support provided by the state board of education and other partners; and a report outlining findings and recommendations to the governor and education committees of the legislature by December 31, 2025. Grants for mastery-based learning may be made in partnership with private matching funds.

(3) \$23,000 of the general fund—state appropriation for fiscal year 2024 and \$23,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the state board of education to be a member in the education commission of the states.

(4) \$55,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 1915 (financial education). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 503. 2023 c 475 s 503 (uncodified) is amended to read as follows:

FOR THE PROFESSIONAL EDUCATOR STANDARDS BOARD

General Fund—State Appropriation (FY 2024).....	((\$22,535,000))
	<u>\$17,246,000</u>

General Fund—State Appropriation (FY 2025).....	((\$21,417,000))
	<u>\$22,279,000</u>
TOTAL APPROPRIATION	((\$43,952,000))
	<u>\$39,525,000</u>

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

(1) \$1,930,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$1,945,000)~~) \$2,036,000 of the general fund—state appropriation for fiscal year 2025 are for the operation and expenses of the Washington professional educator standards board including implementation of chapter 172, Laws of 2017 (educator prep. data/PESB).

(2)(a) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to improve preservice teacher training and funding of alternate routes to certification programs administered by the professional educator standards board.

(b) Within the amounts provided in this subsection (2), up to \$500,000 of the general fund—state appropriation for fiscal year 2024 and up to \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to public or private colleges of education in Washington state to develop models and share best practices for increasing the classroom teaching experience of preservice training programs.

(3) \$1,005,000 of the general fund—state appropriation for fiscal year 2024 and \$1,001,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the recruiting Washington teachers program with priority given to programs that support bilingual teachers, teachers from populations that are underrepresented, and English language learners. Of the amounts provided in this subsection (3), \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation and expansion of the bilingual educator initiative pilot project established under RCW 28A.180.120.

(4) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of chapter 295, Laws of 2019 (educator workforce supply).

(5) (~~(\$17,535,000)~~) \$12,335,000 of the general fund—state appropriation for fiscal year 2024 and \$17,535,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 237, Laws of 2017 (paraeducators). Of the amounts provided in this subsection: (~~(\$16,873,000)~~) \$11,550,000 of the general fund—state appropriation for fiscal year 2024 and \$16,873,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to districts to provide two days of training per school year in the paraeducator certificate program to all paraeducators. Funds in this subsection are provided solely for reimbursement to school districts that provide paraeducators with two days of training in the paraeducator certificate program in each of the 2022-23 and 2023-24 school years. Funding provided in this subsection is sufficient for new paraeducators to receive four days of training in the paraeducator certificate program during their first year. School districts receiving grants under this subsection must prioritize funding toward compensation for paraeducators who complete the required hours of instruction per school year.

(6) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$28,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the board to review national certification opportunities for educational staff associates through the relevant national associations for their

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profession and through the national board for professional teaching standards. The board must compare the standards and processes for achieving these certifications, including an analysis of how educational staff associate positions' national certification aligns with school roles and the professional expertise of school-based education staff associates. The board must submit the comparison report to the education committees of the legislature by October 1, 2024.

(7) ~~(\$147,000)~~ of the general fund—state appropriation for fiscal year 2024 and ~~\$158,000~~ of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1009 (military spouse employment). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) ~~(\$71,000)~~ \$35,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$71,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the professional educator standards board and the paraeducator board to collaborate with the office of the superintendent of public instruction to ~~((report on a plan to))~~ align bilingual education and English language learner endorsement standards and to determine language assessment requirements for multilingual teachers and paraeducators as required in Third Substitute House Bill No. 1228 (dual & tribal language edu.). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse. ~~((The report is due to the legislature by September 1, 2023.))~~

(9) ~~(\$1,012,000)~~ \$877,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the professional educator standards board, in coordination with the office of the superintendent of public instruction, to develop a teacher residency program through Western Washington University focused on special education instruction beginning in the 2024-25 school year.

(10) \$33,000 of the general fund—state appropriation for fiscal year 2024 and \$155,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the professional educator standards board to convene two separate groups to review implementation of new and existing standards in teacher preparation programs and to perform preparation program gap analyses.

(a) By October 1, 2024, the board shall convene a group of educators, including principals and teachers, to identify what preparation programs must be providing candidates to prepare them for the modern classroom.

(i) Prior to the convening of the group, the board, in collaboration with the office of the superintendent of public instruction and the state board of education, shall develop a list of major changes to the educational system in statute and rule during the last 10 years that might require pedagogical changes in preparation programs. The group of educators shall review the list in order to identify what programs must be providing candidates.

(ii) The group of educators must include a wide variety of representatives from different subject matter areas including, but not limited to, any shortage areas, different grade levels, rural and urban school districts, large and small school districts, schools participating in the mastery-based learning collaborative, schools implementing inclusionary practices to support students with disabilities, and educators of color.

(iii) By June 1, 2025, the board shall compile a summary of the findings from the group of educators. Members of the legislature may review this summary upon request.

(b) By December 1, 2024, the board shall develop a process to facilitate an ongoing and collaborative process to help educator

preparation programs in Washington state respond to the continuously changing needs of the modern classroom; provide a feedback loop between school staff and programs; and promote continuity, consistency, and coherence across the educator preparation system regarding implementing new and existing standards. This process must at a minimum meet the following requirements:

(i) Convening of a group representing the educator preparation programs to review the list developed in (a)(i) of this subsection and, when completed, the summary compiled under (a)(iii) of this subsection;

(ii) Requiring each preparation program to perform a gap analysis of their programs. The board shall determine the components of this gap analysis;

(iii) Submission of a plan of improvement and action plan, as needed, to address the areas identified in the gap analysis;

(iv) A plan for compliance monitoring including recommendations related to potential consequences for programs not making sufficient progress; and

(v) A timeline that requires educator preparation programs to complete the process at least once every three years and aligns the process with other review processes.

(c) In creating the process, the board shall begin with a process for teacher preparation programs offered at institutions of higher education and develop a phase-in plan for how to eventually include alternative route teacher certification programs and principal preparation programs.

(11) \$26,000 of the general fund—state appropriation for fiscal year 2024 and \$387,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Engrossed Substitute House Bill No. 1377 (continuing education/K-12).

(12) \$23,000 of the general fund—state appropriation for fiscal year 2024 and \$23,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Fourth Substitute House Bill No. 1239 (educator ethics & complaints). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

Sec. 504. 2023 c 475 s 504 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT

General Fund—State Appropriation (FY 2024)	((\$9,765,637,000))
	<u>\$9,784,078,000</u>
General Fund—State Appropriation (FY 2025)	((\$10,027,638,000))
	<u>\$9,813,885,000</u>
Education Legacy Trust Account—State Appropriation	((\$1,538,730,000))
	<u>\$1,773,730,000</u>
TOTAL APPROPRIATION	((\$21,332,005,000))
	<u>\$21,371,693,000</u>

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

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

(b) For the 2023-24 and 2024-25 school years, the superintendent shall allocate general apportionment funding to school districts as provided in the funding formulas and salary allocations in sections 504 and 505 of this act, excluding (c) of this subsection.

(c) From July 1, 2023, to August 31, 2023, the superintendent shall allocate general apportionment funding to school districts

programs as provided in sections 504 and 505, chapter 297, Laws of 2022, as amended.

(d) The enrollment of any district shall be the annual average number of full-time equivalent students and part-time students as provided in RCW 28A.150.350, enrolled on the fourth day of school in September and on the first school day of each month October through June, including students who are in attendance pursuant to RCW 28A.335.160 and 28A.225.250 who do not reside within the servicing school district. Any school district concluding its basic education program in May must report the enrollment of the last school day held in May in lieu of a June enrollment.

(e)(i) Funding provided in part V of this act is sufficient to provide each full-time equivalent student with the minimum hours of instruction required under RCW 28A.150.220.

(ii) The office of the superintendent of public instruction shall align the agency rules defining a full-time equivalent student with the increase in the minimum instructional hours under RCW 28A.150.220, as amended by the legislature in 2014.

(f) The superintendent shall adopt rules requiring school districts to report full-time equivalent student enrollment as provided in RCW 28A.655.210.

(g) For the 2023-24 and 2024-25 school years, school districts must report to the office of the superintendent of public instruction the monthly actual average district-wide class size across each grade level of kindergarten, first grade, second grade, and third grade classes. The superintendent of public instruction shall report this information to the education and fiscal committees of the house of representatives and the senate by September 30th of each year.

(2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

Allocations for certificated instructional staff salaries for the 2023-24 and 2024-25 school years are determined using formula-generated staff units calculated pursuant to this subsection.

(a) Certificated instructional staff units, as defined in RCW 28A.150.410, shall be allocated to reflect the minimum class size allocations, requirements, and school prototypes assumptions as provided in RCW 28A.150.260. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent student enrollment in each grade.

(b) Additional certificated instructional staff units provided in this subsection (2) that exceed the minimum requirements in RCW 28A.150.260 are enhancements outside the program of basic education, except as otherwise provided in this section.

(c)(i) The superintendent shall base allocations for each level of prototypical school, including those at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, on the following regular education average class size of full-time equivalent students per teacher, except as provided in (c)(ii) of this subsection:

General education class size:

Grade	RCW 28A.150.260	2023-24 School Year	2024-25 School Year
Grade K		17.00	17.00
Grade 1		17.00	17.00
Grade 2		17.00	17.00
Grade 3		17.00	17.00
Grade 4		27.00	27.00
Grades 5-6		27.00	27.00

Grades 7-8	28.53	28.53
Grades 9-12	28.74	28.74

The superintendent shall base allocations for: Laboratory science average class size as provided in RCW 28A.150.260; career and technical education (CTE) class size of 23.0; and skill center program class size of 19. Certificated instructional staff units provided for skills centers that exceed the minimum requirements of RCW 28A.150.260 achieve class size reductions under RCW 28A.400.007 and are part of the state's program of basic education.

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

(iii) Advanced placement and international baccalaureate courses are funded at the same class size assumptions as general education schools in the same grade; and

(d)(i) Funding for teacher librarians, school nurses, social workers, school psychologists, and guidance counselors is allocated based on the school prototypes as provided in RCW 28A.150.260, as amended by chapter 109, Laws of 2022, and is considered certificated instructional staff.

(ii) For qualifying high-poverty schools in the 2023-24 school year, at which more than 50 percent of the students were eligible for free and reduced-price meals in the prior school year, in addition to the allocation under (d)(i) of this subsection, the superintendent shall allocate additional funding for guidance counselors for each level of prototypical school as follows:

	Elementary	Middle	High
Guidance counselors	0.166	0.166	0.157

(iii) Students in approved career and technical education and skill center programs generate certificated instructional staff units to provide for the services of teacher librarians, school nurses, social workers, school psychologists, and guidance counselors at the following combined rate per 1000 student full-time equivalent enrollment:

	2023-24 School Year	2024-25 School Year
Career and Technical Education	3.65	3.91
Skill Center	3.98	4.25

(3) ADMINISTRATIVE STAFF ALLOCATIONS

(a) Allocations for school building-level certificated administrative staff salaries for the 2023-24 and 2024-25 school years for general education students are determined using the formula generated staff units calculated pursuant to this subsection. The superintendent shall make allocations to school districts based on the district's annual average full-time equivalent enrollment in each grade. The following prototypical school values shall determine the allocation for principals, assistant principals, and other certificated building level administrators:

Prototypical School Building:	
Elementary School	1.253
Middle School	1.353
High School	1.880

(b) Students in approved career and technical education and skill center programs generate certificated school building-level administrator staff units at per student rates that are a multiple of

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the general education rate in (a) of this subsection by the following factors:

- Career and Technical Education students 1.025
- Skill Center students 1.198

(4) CLASSIFIED STAFF ALLOCATIONS

Allocations for classified staff units providing school building-level and district-wide support services for the 2023-24 and 2024-25 school years are determined using the formula-generated staff units provided in RCW 28A.150.260 and pursuant to this subsection, and adjusted based on each district's annual average full-time equivalent student enrollment in each grade.

(5) CENTRAL OFFICE ALLOCATIONS

In addition to classified and administrative staff units allocated in subsections (3) and (4) of this section, classified and administrative staff units are provided for the 2023-24 and 2024-25 school years for the central office administrative costs of operating a school district, at the following rates:

(a) The total central office staff units provided in this subsection (5) are calculated by first multiplying the total number of eligible certificated instructional, certificated administrative, and classified staff units providing school-based or district-wide support services, as identified in RCW 28A.150.260(6)(b) and the increased allocations provided pursuant to subsections (2) and (4) of this section, by 5.3 percent.

(b) Of the central office staff units calculated in (a) of this subsection, 74.53 percent are allocated as classified staff units, as generated in subsection (4) of this section, and 25.48 percent shall be allocated as administrative staff units, as generated in subsection (3) of this section.

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

(d) For students in approved career-technical and skill center programs, central office classified units are allocated at the same staff unit per student rate as those generated for general education students of the same grade in this subsection (5), and central office administrative staff units are allocated at staff unit per student rates that exceed the general education rate established for students in the same grade in this subsection (5) by ~~((12.30))~~ 12.25 percent in the 2023-24 school year and ~~((12.46))~~ 12.42 percent in the 2024-25 school year for career and technical education students, and ~~((17.62))~~ 17.58 percent in the 2023-24 school year and ~~((17.79))~~ 17.75 percent in the 2024-25 school year for skill center students.

(6) FRINGE BENEFIT ALLOCATIONS

Fringe benefit allocations shall be calculated at a rate of 17.97 percent in the 2023-24 school year and ~~((17.97))~~ 18.15 percent in the 2024-25 school year for certificated salary allocations provided under subsections (2), (3), and (5) of this section, and a rate of 22.06 percent in the 2023-24 school year and ~~((21.56))~~ 21.66 percent in the 2024-25 school year for classified salary allocations provided under subsections (4) and (5) of this section.

(7) INSURANCE BENEFIT ALLOCATIONS

Insurance benefit allocations shall be calculated at the rates specified in section 506 of this act, based on the number of benefit units determined as follows: Except for nonrepresented employees of educational service districts, the number of calculated benefit units determined below. Calculated benefit units are staff units multiplied by the benefit allocation factors established in the collective bargaining agreement referenced in section 909 of this act. These factors are intended to adjust allocations so that, for the purpose of distributing insurance benefits, full-time equivalent employees may be calculated on the

basis of 630 hours of work per year, with no individual employee counted as more than one full-time equivalent. The number of benefit units is determined as follows:

- (a) The number of certificated staff units determined in subsections (2), (3), and (5) of this section multiplied by 1.02; and
- (b) The number of classified staff units determined in subsections (4) and (5) of this section multiplied by 1.43.

(8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

Funding is allocated per annual average full-time equivalent student for the materials, supplies, and operating costs (MSOC) incurred by school districts, consistent with the requirements of RCW 28A.150.260.

(a)(i) MSOC funding for general education students are allocated at the following per student rates:

MSOC RATES/STUDENT FTE

MSOC Component	2023-24 School Year	2024-25 School Year
Technology	\$178.98	((182.72)) <u>\$182.37</u>
Utilities and Insurance	((416.26)) <u>\$430.26</u>	((425.04)) <u>\$438.43</u>
Curriculum and Textbooks	\$164.48	((167.94)) <u>\$167.61</u>
Other Supplies	\$326.54	((333.40)) <u>\$332.74</u>
Library Materials	\$22.65	((23.13)) <u>\$23.09</u>
Instructional Professional Development for Certificated and Classified Staff	((25.44)) <u>\$28.94</u>	((25.97)) <u>\$29.50</u>
Facilities Maintenance	\$206.22	((210.55)) <u>\$210.13</u>
Security and Central Office	((142.87)) <u>\$146.37</u>	((145.87)) <u>\$149.15</u>
TOTAL MSOC/STUDENT FTE	((1,483.44)) <u>\$1,504.44</u>	((1,514.59)) <u>\$1,533.02</u>

(ii) For the 2023-24 school year and 2024-25 school year, as part of the budget development, hearing, and review process required by chapter 28A.505 RCW, each school district must disclose: (A) The amount of state funding to be received by the district under (a) and (d) of this subsection (8); (B) the amount the district proposes to spend for materials, supplies, and operating costs; (C) the difference between these two amounts; and (D) if (a)(ii)(A) of this subsection (8) exceeds (a)(ii)(B) of this subsection (8), any proposed use of this difference and how this use will improve student achievement.

~~((iii) Within the amount provided in (a)(i) of this subsection (8), allocations for MSOC technology in excess of RCW 28A.150.260 are not part of the state's basic education.)~~

(b) Students in approved skill center programs generate per student FTE MSOC allocations of \$1,724.62 for the 2023-24 school year and ~~((1,760.84))~~ \$1,757.39 for the 2024-25 school year.

(c) Students in approved exploratory and preparatory career

and technical education programs generate per student FTE MSOC allocations of \$1,724.62 for the 2023-24 school year and (~~(\$1,760.84)~~) \$1,757.39 for the 2024-25 school year.

(d) Students in grades 9-12 generate per student FTE MSOC allocations in addition to the allocations provided in (a) through (c) of this subsection at the following rate:

MSOC Component	2023-24 School Year	2024-25 School Year
Technology	\$44.04	(\$44.97) <u>\$44.88</u>
Curriculum and Textbooks	\$48.06	(\$49.06) <u>\$48.97</u>
Other Supplies	\$94.07	(\$96.04) <u>\$95.86</u>
Library Materials	\$6.05	(\$6.18) <u>\$6.16</u>
Instructional Professional Development for Certified and Classified Staff	\$8.01	(\$8.18) <u>\$8.16</u>
TOTAL GRADE 9-12 BASIC EDUCATION MSOC/STUDENT FTE	\$200.23	(\$204.43) <u>\$204.03</u>

(9) SUBSTITUTE TEACHER ALLOCATIONS

For the 2023-24 and 2024-25 school years, funding for substitute costs for classroom teachers is based on four (4) funded substitute days per classroom teacher unit generated under subsection (2) of this section, at a daily substitute rate of \$151.86.

(10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

(a) Amounts provided in this section from July 1, 2023, to August 31, 2023, are adjusted to reflect provisions of chapter 297, Laws of 2022, as amended (allocation of funding for students enrolled in alternative learning experiences).

(b) The superintendent of public instruction shall require all districts receiving general apportionment funding for alternative learning experience (ALE) programs as defined in WAC 392-121-182 to provide separate financial accounting of expenditures for the ALE programs offered in district or with a provider, including but not limited to private companies and multidistrict cooperatives, as well as accurate, monthly headcount and FTE enrollment claimed for basic education, including separate counts of resident and nonresident students.

(11) DROPOUT REENGAGEMENT PROGRAM

The superintendent shall adopt rules to require students claimed for general apportionment funding based on enrollment in dropout reengagement programs authorized under RCW 28A.175.100 through 28A.175.115 to meet requirements for at least weekly minimum instructional contact, academic counseling, career counseling, or case management contact. Districts must also provide separate financial accounting of expenditures for the programs offered by the district or under contract with a provider, as well as accurate monthly headcount and full-time equivalent enrollment claimed for basic education, including separate enrollment counts of resident and nonresident students.

(12) ALL DAY KINDERGARTEN PROGRAMS

\$670,803,000 of the general fund—state appropriation for fiscal year 2024 and \$869,125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to fund all day kindergarten programs in all schools in the 2023-24 school year and 2024-25 school year, pursuant to RCW 28A.150.220 and

28A.150.315. Beginning in the 2023-24 school year, funding for students admitted early to kindergarten under exceptions to the uniform entry qualifications under RCW 28A.225.160 must be limited to children deemed to be likely to be "successful in kindergarten."

(13) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND NECESSARY PLANTS

For small school districts and remote and necessary school plants within any district which have been judged to be remote and necessary by the superintendent of public instruction, additional staff units are provided to ensure a minimum level of staffing support. Additional administrative and certificated instructional staff units provided to districts in this subsection shall be reduced by the general education staff units, excluding career and technical education and skills center enhancement units, otherwise provided in subsections (2) through (5) of this section on a per district basis.

(a) For districts enrolling not more than twenty-five average annual full-time equivalent students in grades K-8, and for small school plants within any school district which have been judged to be remote and necessary by the superintendent of public instruction and enroll not more than twenty-five average annual full-time equivalent students in grades K-8:

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

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

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

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

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

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

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

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

(iii) Districts receiving staff units under this subsection shall add students enrolled in a district alternative high school and any

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grades nine through twelve alternative learning experience programs with the small high school enrollment for calculations under this subsection;

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

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

(f)(i) For enrollments generating certificated staff unit allocations under (a) through (e) of this subsection, one classified staff unit for each 2.94 certificated staff units allocated under such subsections;

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

(g) School districts receiving additional staff units to support small student enrollments and remote and necessary plants under this subsection (13) shall generate additional MSOC allocations consistent with the nonemployee related costs (NERC) allocation formula in place for the 2010-11 school year as provided section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental budget), adjusted annually for inflation.

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

(15) The superintendent may distribute funding for the following programs outside the basic education formula during fiscal years 2024 and 2025 as follows:

(a) \$650,000 of the general fund—state appropriation for fiscal year 2024 and \$650,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW.

(b) \$436,000 of the general fund—state appropriation for fiscal year 2024 and \$436,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for programs providing skills training for secondary students who are enrolled in extended day school-to-work programs, as approved by the superintendent of public instruction. The funds shall be allocated at a rate not to exceed \$500 per full-time equivalent student enrolled in those programs.

(c) \$375,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to subsidize the cost of health care-based industry recognized credentials required for employment for students enrolled in health care courses in skill centers and comprehensive high school programs.

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

(17) Funding in this section is sufficient to fund a maximum of 1.2 FTE enrollment for career launch students pursuant to RCW

28A.700.130. Expenditures for this purpose must come first from the appropriations provided in section 501(5) of this act; funding for career launch enrollment exceeding those appropriations is provided in this section. The office of the superintendent of public instruction shall provide a summary report to the office of the governor and the appropriate committees of the legislature by January 1, 2024. The report must include the total FTE enrollment for career launch students, the FTE enrollment for career launch students that exceeded the appropriations provided in section 501(5) of this act, and the amount expended from this section for those students.

(18)(a) Students participating in running start programs may be funded up to a combined maximum enrollment of 1.4 FTE including school district and institution of higher education enrollment consistent with the running start course requirements provided in chapter 202, Laws of 2015 (dual credit education opportunities). In calculating the combined 1.4 FTE, the office of the superintendent of public instruction:

(i) Must adopt rules to fund the participating student's enrollment in running start courses provided by the institution of higher education during the summer academic term; and

(ii) May average the participating student's September through June enrollment to account for differences in the start and end dates for courses provided by the high school and the institution of higher education.

(iii) In consultation with the state board for community and technical colleges, the participating institutions of higher education, the student achievement council, and the education data center, must annually track and report to the fiscal committees of the legislature on the combined FTE experience of students participating in the running start program, including course load analyses at both the high school and community and technical college system.

(b) \$1,000 of the general fund—state appropriation for fiscal year 2024 is provided for implementation of Second Substitute House Bill No. 1316 (dual credit program access).

(19) If two or more school districts consolidate and each district was receiving additional basic education formula staff units pursuant to subsection (13) of this section, the following apply:

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

(b) For the fourth through eighth school years following consolidation, the difference between the basic education formula staff units received by the districts for the school year prior to consolidation and the basic education formula staff units after consolidation pursuant to subsection (13) of this section shall be reduced in increments of twenty percent per year.

(20)(a) Indirect cost charges by a school district to approved career and technical education middle and secondary programs shall not exceed the lesser of five percent or the cap established in federal law of the combined basic education and career and technical education program enhancement allocations of state funds. Middle and secondary career and technical education programs are considered separate programs for funding and financial reporting purposes under this section.

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

(21) Funding in this section is sufficient to provide full general

apportionment payments to school districts eligible for federal forest revenues as provided in RCW 28A.520.020. For the 2023-2025 biennium, general apportionment payments are not reduced for school districts receiving federal forest revenues.

(22) \$15,898,000 of the general fund—state appropriation for fiscal year 2024 and \$20,781,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 2494 (school operating costs). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(23) \$25,165,000 of the general fund—state appropriation for fiscal year 2024 and \$32,355,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

Sec. 505. 2023 c 475 s 505 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION EMPLOYEE COMPENSATION

(1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in RCW 28A.150.260, and under section 504 of this act: For the 2023-24 school year and the 2024-25 school year salary allocations for certificated instructional staff, certificated administrative staff, and classified staff units are determined for each school district by multiplying the statewide minimum salary allocation for each staff type by the school district's regionalization factor shown in LEAP Document 3.

Statewide Minimum Salary Allocation

Staff Type	2023-24 School Year	2024-25 School Year
Certificated Instructional	\$75,419	(\$78,360) \$78,209
Certificated Administrative	\$111,950	(\$116,316) \$116,092
Classified	\$54,103	(\$56,213) \$56,105

(2) For the purposes of this section, "LEAP Document 3" means the school district regionalization factors for certificated instructional, certificated administrative, and classified staff, as developed by the legislative evaluation and accountability program committee on ~~(April 20, 2023, at 6:09))~~ March 3, 2024, at 11:16 hours.

(3) Incremental fringe benefit factors are applied to salary adjustments at a rate of 17.33 percent for school year 2023-24 and ~~((47.33))~~ 17.51 percent for school year 2024-25 for certificated instructional and certificated administrative staff and 18.56 percent for school year 2023-24 and ~~((48.06))~~ 18.16 percent for the 2024-25 school year for classified staff.

(4) The salary allocations established in this section are for allocation purposes only except as provided in this subsection, and do not entitle an individual staff position to a particular paid salary except as provided in RCW 28A.400.200, as amended by chapter 13, Laws of 2017 3rd sp. sess. (fully funding the program of basic education).

Sec. 506. 2023 c 475 s 506 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE COMPENSATION ADJUSTMENTS

General Fund—State Appropriation (FY 2024)	(\$391,668,000) \$391,520,000
General Fund—State Appropriation (FY 2025)	(\$871,433,000) \$888,496,000
TOTAL APPROPRIATION	(\$1,263,101,000) \$1,280,016,000

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

(1) The salary increases provided in this section are 3.7 percent for the 2023-24 school year, and ~~((3.9))~~ 3.7 percent for the 2024-25 school year, the annual inflationary adjustments pursuant to RCW 28A.400.205.

(2)(a) In addition to salary allocations, the appropriations in this section include funding for professional learning as defined in RCW 28A.415.430, 28A.415.432, and 28A.415.434. Funding for this purpose is calculated as the equivalent of three days of salary and benefits for each of the funded full-time equivalent certificated instructional staff units. Nothing in this section entitles an individual certificated instructional staff to any particular number of professional learning days.

(b) Of the funding provided for professional learning in this section, the equivalent of one day of salary and benefits for each of the funded full-time equivalent certificated instructional staff units in the 2023-24 school year must be used to train school district staff on cultural competency, diversity, equity, or inclusion, as required in chapter 197, Laws of 2021.

(3)(a) The appropriations in this section include associated incremental fringe benefit allocations at 17.33 percent for the 2023-24 school year and ~~((47.33))~~ 17.51 percent for the 2024-25 school year for certificated instructional and certificated administrative staff and 18.56 percent for the 2023-24 school year and ~~((48.06))~~ 18.16 percent for the 2024-25 school year for classified staff.

(b) The appropriations in this section include the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of this act. Changes for general apportionment (basic education) are based on the salary allocations and methodology in sections 504 and 505 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 504 and 505 of this act. Changes for pupil transportation are determined by the superintendent of public instruction pursuant to RCW 28A.160.192, and impact compensation factors in sections 504, 505, and 506 of this act.

(c) The appropriations in this section include no salary adjustments for substitute teachers.

(4) The appropriations in this section are sufficient to fund the collective bargaining agreement referenced in part 9 of this act and reflect the incremental change in cost of allocating rates as follows: For the 2023-24 school year, \$1,100 per month and for the 2024-25 school year, ~~(\$1,157))~~ \$1,178 per month.

(5) The rates specified in this section are subject to revision each year by the legislature.

(6) \$46,426,000 of the general fund—state appropriation for fiscal year 2024 and \$211,538,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 50, Laws of 2023.

(7) \$5,155,000 of the general fund—state appropriation for

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fiscal year 2024 and \$12,076,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(8) \$1,286,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2180 (special education cap). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(9) \$1,264,000 of the general fund—state appropriation for fiscal year 2024 and \$2,949,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(10) \$670,000 of the general fund—state appropriation for fiscal year 2024 and \$1,556,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to account for the office of the superintendent of public instruction allocation of transportation funding to school districts.

Sec. 507. 2023 c 475 s 507 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION

General Fund—State Appropriation (FY 2024)	((\$763,749,000))
	<u>\$803,792,000</u>
General Fund—State Appropriation (FY 2025)	((\$762,332,000))
	<u>\$810,077,000</u>
TOTAL APPROPRIATION.....	((\$1,526,081,000))
	<u>\$1,613,869,000</u>

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

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

(2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for the transportation of eligible students as provided in RCW 28A.160.192. Funding in this section constitutes full implementation of RCW 28A.160.192, which enhancement is within the program of basic education. Students are considered eligible only if meeting the definitions provided in RCW 28A.160.160.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts programs for the transportation of students as provided in section 507, chapter 297, Laws of 2022, as amended.

(3) Within amounts appropriated in this section, up to \$10,000,000 of the general fund—state appropriation for fiscal year 2024 and up to \$10,000,000 of the general fund—state appropriation for fiscal year 2025 are for a transportation alternate funding grant program based on the alternate funding process established in RCW 28A.160.191. The superintendent of public instruction must include a review of school district efficiency rating, key performance indicators and local school district characteristics such as unique geographic constraints in the grant award process.

(4) A maximum of \$939,000 of the general fund—state appropriation for fiscal year 2024 and a maximum of \$939,000 of the general fund—state appropriation for fiscal year 2025 may be expended for regional transportation coordinators and related activities. The transportation coordinators shall ensure that data

submitted by school districts for state transportation funding shall, to the greatest extent practical, reflect the actual transportation activity of each district.

(5) Subject to available funds under this section, school districts may provide student transportation for summer skills center programs.

(6) The office of the superintendent of public instruction shall provide reimbursement funding to a school district for school bus purchases only after the superintendent of public instruction determines that the school bus was purchased from the list established pursuant to RCW 28A.160.195(2) or a comparable competitive bid process based on the lowest price quote based on similar bus categories to those used to establish the list pursuant to RCW 28A.160.195.

(7) The superintendent of public instruction shall base depreciation payments for school district buses on the presales tax five-year average of lowest bids in the appropriate category of bus. In the final year on the depreciation schedule, the depreciation payment shall be based on the lowest bid in the appropriate bus category for that school year.

(8) The office of the superintendent of public instruction shall annually disburse payments for bus depreciation in August.

(9)(a) \$13,000,000 of the general fund—state appropriation for fiscal year 2024 and \$13,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the superintendent to provide transportation safety net funding to school districts with a convincingly demonstrated need for additional transportation funding for special passengers. Transportation safety net awards shall only be provided when a school district's allowable transportation expenditures attributable to serving special passengers exceeds the amount allocated under subsection (2)(a) of this section and any excess transportation costs reimbursed by federal, state, tribal, or local child welfare agencies. A transportation safety net award may not exceed a school district's excess expenditures directly attributable to serving special passengers in the pupil transportation program.

(b) To be eligible for additional transportation safety net award funding, the school district must report, in accordance with statewide accounting guidance, the amount of the excess costs and the specific activities or services provided to special passengers that created the excess costs. The office of the superintendent of public instruction must request from school districts an application for transportation safety net funding. The office must submit to the office of financial management, and to the education and fiscal committees of the legislature, the total demonstrated need and awards by school district.

(c) Transportation safety net awards allocated under this subsection are not part of the state's program of basic education.

(10) \$425,000 of the of the general fund—state appropriation for fiscal year 2025 is provided solely for supplemental transportation allocations for pupil transportation services contractor benefits as described in Engrossed Substitute House Bill No. 1248 (pupil transportation). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(11) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to implement Engrossed Substitute Senate Bill No. 6031 (student transportation allocation). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(12) \$32,177,000 of the general fund—state appropriation for fiscal year 2024 and \$41,519,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to account for the office of the superintendent of public instruction allocation of transportation funding to school districts.

Sec. 508. 2023 c 475 s 508 (uncodified) is amended to read

as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—SCHOOL FOOD SERVICES

General Fund—State Appropriation (FY 2024)	((\$33,334,000))
	<u>\$55,834,000</u>
General Fund—State Appropriation (FY 2025)	((\$79,857,000))
	<u>\$102,357,000</u>
General Fund—Federal Appropriation	((\$573,104,000))
	<u>\$925,799,000</u>
TOTAL APPROPRIATION	((\$686,295,000))
	<u>\$1,083,990,000</u>

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

(1) \$11,548,000 of the general fund—state appropriation for fiscal year 2024 and \$11,548,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for state matching money for federal child nutrition programs, and may support the meals for kids program through the following allowable uses:

(a) Elimination of breakfast copays for eligible public school students and lunch copays for eligible public school students in grades pre-kindergarten through twelfth grades who are eligible for reduced-price lunch as required in chapter 74, Laws of 2021 (reduced-price lunch copays);

(b) Assistance to school districts and authorized public and private nonprofit organizations for supporting summer food service programs, and initiating new summer food service programs in low-income areas;

(c) Reimbursements to school districts for school breakfasts served to students eligible for free and reduced-price lunch, pursuant to chapter 287, Laws of 2005; and

(d) Assistance to school districts in initiating and expanding school breakfast programs.

(2) The office of the superintendent of public instruction shall report annually to the fiscal committees of the legislature on annual expenditures in subsection (1)(a) through (c) of this section.

(3) The superintendent of public instruction shall provide the department of health with the following data, where available, for all nutrition assistance programs that are funded by the United States department of agriculture and administered by the office of the superintendent of public instruction. The superintendent must provide the report for the preceding federal fiscal year by February 1, 2024, and February 1, 2025. The report must provide:

(a) The number of people in Washington who are eligible for the program;

(b) The number of people in Washington who participated in the program;

(c) The average annual participation rate in the program;

(d) Participation rates by geographic distribution; and

(e) The annual federal funding of the program in Washington.

(4)(a) ((~~\$21,167,000~~)) \$44,167,000 of the general fund—state appropriation for fiscal year 2024, ((~~\$52,167,000~~)) \$74,667,000 of the general fund—state appropriation for fiscal year 2025, and \$28,500,000 of the general fund—federal appropriation (CRRSA) are provided solely for reimbursements to school districts for schools and groups of schools required to participate in the federal community eligibility program under section 1, chapter 7, Laws of 2022 (schools/comm. eligibility) for meals not reimbursed at the federal free meal rate.

(b) \$119,000 of the general fund—state appropriation for fiscal year 2024 and \$119,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 271, Laws of 2018 (school meal payment) to increase the

number of schools participating in the federal community eligibility program and to support breakfast after the bell programs authorized by the legislature that have adopted the community eligibility provision, and for staff at the office of the superintendent of public instruction to implement section 1, chapter 7, Laws of 2022 (schools/comm. eligibility).

(5) ((~~\$7,426,000~~)) \$6,000,000 of the general fund—federal appropriation (CRRSA/GEER) and \$16,023,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Second Substitute House Bill No. 1238 (free school meals). ((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))

Sec. 509. 2023 c 475 s 509 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL EDUCATION PROGRAMS

General Fund—State Appropriation (FY 2024)	((\$1,719,541,000))
	<u>\$1,811,444,000</u>
General Fund—State Appropriation (FY 2025)	((\$1,789,729,000))
	<u>\$1,925,849,000</u>
General Fund—Federal Appropriation	((\$529,429,000))
	<u>\$664,372,000</u>
Education Legacy Trust Account—State Appropriation	\$54,694,000
TOTAL APPROPRIATION	((\$4,093,393,000))
	<u>\$4,456,359,000</u>

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

(1)(a) Funding for special education programs is provided on an excess cost basis, pursuant to RCW 28A.150.390. School districts shall ensure that special education students as a class receive their full share of the general apportionment allocation accruing through sections 504 and 506 of this act. To the extent a school district cannot provide an appropriate education for special education students under chapter 28A.155 RCW through the general apportionment allocation, it shall provide services through the special education excess cost allocation funded in this section.

(b) Funding provided within this section is sufficient for districts to provide school principals and lead special education teachers annual professional development on the best-practices for special education instruction and strategies for implementation. Districts shall annually provide a summary of professional development activities to the office of the superintendent of public instruction.

(2)(a) The superintendent of public instruction shall ensure that:

(i) Special education students are basic education students first;

(ii) As a class, special education students are entitled to the full basic education allocation; and

(iii) Special education students are basic education students for the entire school day.

(b)(i) The superintendent of public instruction shall continue to implement the full cost method of excess cost accounting, as designed by the committee and recommended by the superintendent, pursuant to section 501(1)(k), chapter 372, Laws of 2006, except as provided in (b)(ii) of this subsection.

(ii) The superintendent of public instruction shall implement any changes to excess cost accounting methods required under Engrossed Substitute House Bill No. 1436 (special education funding).

(3) Each fiscal year appropriation includes such funds as are necessary to complete the school year ending in the fiscal year

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and for prior fiscal year adjustments.

(4)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for special education students as provided in RCW 28A.150.390, except that the calculation of the base allocation also includes allocations provided under section 504 (2) and (4) of this act and RCW 28A.150.415, which enhancement is within the program of basic education.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school district programs for special education students as provided in section 509, chapter 297, Laws of 2022, as amended.

(5) The following applies throughout this section: The definitions for enrollment and enrollment percent are as specified in RCW 28A.150.390(3). Each district's general fund—state funded special education enrollment shall be the lesser of the district's actual enrollment percent or 15 percent in the 2023-24 school year, and the lesser of the district's actual enrollment percent or 16 percent in the 2024-25 school year.

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

(7) (~~(\$106,931,000)~~) \$151,047,000 of the general fund—state appropriation for fiscal year 2024, (~~(\$112,431,000)~~) \$151,047,000 of the general fund—state appropriation for fiscal year 2025, and \$29,574,000 of the general fund—federal appropriation are provided solely for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided in subsection (4) of this section. If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in this subsection (7) in any fiscal year, the superintendent shall expend all available federal discretionary funds necessary to meet this need. At the conclusion of each school year, the superintendent shall recover safety net funds that were distributed prospectively but for which districts were not subsequently eligible.

(a) For the 2023-24 and 2024-25 school years, safety net funds shall be awarded by the state safety net oversight committee as provided in section 109(1) chapter 548, Laws of 2009 (education).

(b) The office of the superintendent of public instruction shall make award determinations for state safety net funding in August of each school year, except that the superintendent of public instruction shall make award determinations for state safety net funding in July of each school year for the Washington state school for the blind and for the center for childhood deafness and hearing loss. Determinations on school district eligibility for state safety net awards shall be based on analysis of actual expenditure data from the current school year.

(8) A maximum of \$1,250,000 may be expended from the general fund—state appropriations to fund teachers and aides at Seattle children's hospital. This amount is in lieu of money provided through the home and hospital allocation and the special education program.

(9) The superintendent shall maintain the percentage of federal flow-through to school districts at 85 percent. In addition to other purposes, school districts may use increased federal funds for high-cost students, for purchasing regional special education services from educational service districts, and for staff

development activities particularly relating to inclusion issues.

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

(11) \$87,000 of the general fund—state appropriation for fiscal year 2024, \$87,000 of the general fund—state appropriation for fiscal year 2025, and \$214,000 of the general fund—federal appropriation are provided solely for a special education family liaison position within the office of the superintendent of public instruction.

(12)(a) \$13,538,000 of the general fund—federal appropriation (ARPA) is provided solely for allocations from federal funding as authorized in section 2014, the American rescue plan act of 2021, P.L. 117-2.

(b) \$1,777,000 of the general fund—federal appropriation (ARPA) is provided solely for providing preschool services to qualifying special education students under section 619 of the federal individuals with disabilities education act, pursuant to section 2002, the American rescue plan act of 2021, P.L. 117-2.

(13) \$153,091,000 of the general fund—state appropriation for fiscal year 2024 and \$199,246,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(14) \$18,235,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to increase the special education enrollment funding cap as required in Substitute House Bill No. 2180 (special education cap). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(15) \$2,877,000 of the general fund—state appropriation for fiscal year 2024 and \$3,818,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 2494 (School operating costs). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(16)(a) \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for compilation of reporting as required under this subsection. By November 1, 2024, each district shall report to the superintendent on the district's utilization of funds provided by the legislature under chapter 475, Laws of 2023 and this act, including under subsections (13) and (14) of this section. The report shall include the following:

(i) To what extent the district has increased special services, programs, and supports to students with disabilities for the 2023-24 and 2024-25 school years;

(ii) How the district has modified staffing ratios during the 2023-24 and 2024-25 school years in special programs to provide more intensive staff support to students enrolled in special education programs;

(iii) How the district has used the resources provided under chapter 475, Laws of 2023 and this act to increase employee compensation for both certificated and classified staff during the 2023-24 and 2024-25 school years to improve staff retention and recruitment of new staff;

(iv) To what extent the district has increased staff development programs and curriculum that is both timely and relevant to the needs of students with disabilities during the 2023-24 and 2024-25 school years; and

(v) To what extent the district has used the resources provided under chapter 475, Laws of 2023 and this act to purchase staff safety equipment during the 2023-24 and 2024-25 school years in order to reduce work-related injuries.

(b) The office shall compile the reports provided under (a) of

this subsection and provide a report to the relevant committees of the legislature by December 1, 2024, summarizing statewide trends and providing each district's individual responses.

(17) \$4,199,000 of the general fund—state appropriation for fiscal year 2024 and \$5,479,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(18) \$581,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Senate Bill No. 5852 (special education safety net). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 510. 2023 c 475 s 510 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL SERVICE DISTRICTS

General Fund—State	Appropriation (FY 2024)	
		.....((\$40,799,000))
		<u>\$41,625,000</u>
General Fund—State	Appropriation (FY 2025)	
		.....((\$35,780,000))
		<u>\$39,138,000</u>
Workforce Education Investment Account—State	Appropriation.....	\$2,700,000
TOTAL APPROPRIATION.....		((\$79,279,000))
		<u>\$83,463,000</u>

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

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

(2) Funding within this section is provided for regional professional development related to mathematics and science curriculum and instructional strategies aligned with common core state standards and next generation science standards. Funding shall be distributed among the educational service districts in the same proportion as distributions in the 2007-2009 biennium. Each educational service district shall use this funding solely for salary and benefits for a certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(3) Funding in this section is provided for regional professional development related to English language arts curriculum and instructional strategies aligned with common core state standards. Each educational service district shall use this funding solely for salary and benefits for certificated instructional staff with expertise in the appropriate subject matter and in professional development delivery, and for travel, materials, and other expenditures related to providing regional professional development support.

(4) Funding in this section is provided for regional technical support for the K-20 telecommunications network to prevent system failures and avoid interruptions in school utilization of the data processing and video-conferencing capabilities of the network. These funds may be used to purchase engineering and advanced technical support for the network.

(5) Funding in this section is provided for a corps of nurses located at the educational service districts, to be dispatched in coordination with the office of the superintendent of public instruction, to provide direct care to students, health education, and training for school staff. In fiscal years 2024 and 2025, allocations for the corps of nurses is sufficient to provide one day

per week of nursing services for all second-class school districts.

(6) Funding in this section is provided for staff and support at the nine educational service districts to provide a network of support for school districts to develop and implement comprehensive suicide prevention and behavioral health supports for students.

(7) Funding in this section is provided for staff and support at the nine educational service districts to provide assistance to school districts with comprehensive safe schools planning, conducting needs assessments, school safety and security trainings, coordinating appropriate crisis and emergency response and recovery, and developing threat assessment and crisis intervention teams. In fiscal years 2024 and 2025, allocations for staff and support for regional safety centers are increased to 3 full-time equivalent certificated instructional staff for each regional safety center.

(8) Funding in this section is provided for regional English language arts coordinators to provide professional development of teachers and principals around the new early screening for dyslexia requirements.

(9) The educational service districts, at the request of the state board of education pursuant to RCW 28A.310.010 and 28A.305.130, may receive and screen applications for school accreditation, conduct school accreditation site visits pursuant to state board of education rules, and submit to the state board of education post-site visit recommendations for school accreditation. The educational service districts may assess a cooperative service fee to recover actual plus reasonable indirect costs for the purposes of this subsection.

(10) \$2,169,000 of the general fund—state appropriation for fiscal year 2024 and \$2,169,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for each educational service district to provide technology consultation, procurement, and training required under chapter 301, Laws of 2021 (schools/computers & devices).

(11) (~~(\$1,009,000)~~) \$1,834,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$1,009,000)~~) \$1,930,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 87, Laws of 2022 (ed. service district funding).

(12) \$2,700,000 of the workforce education investment account—state appropriation is provided solely for the cost of employing one full-time equivalent employee at each of the nine education service districts to support the expansion of career connected learning.

(13) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for educational service districts to provide students attending school in rural areas with access to a mental health professional using telemedicine. Funding must be prioritized to districts where mental health services are inadequate or nonexistent due to geographic constraints. Funding may be used for schools or school districts for technology upgrades to provide secure access for students, for contracted services, or to pay applicable copays or fees for telemedicine visits if not covered by a student's public or private insurance.

(14) \$325,000 of the general fund—state appropriation for fiscal year 2024 and \$325,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Puget Sound educational service district 121 to administer a Washington state capitol civic engagement grant program for the Auburn, Federal Way, Highline, Kent, Renton, and Tukwila public school districts. Grant recipients must use the grant awards to transport one grade of either fourth or fifth grade students to the Washington state capitol campus for a day of civic

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engagement, which may include a capitol tour, mock legislative committee hearings, presentations on the legislative process, meet and greets with legislative members, and other related activities. If funding remains after all eligible school districts have received grant awards, the remaining funding may be used to support the program for high school students within the eligible school districts. Of the amounts provided in this subsection, \$5,000 of the general fund—state appropriation for fiscal year 2024 and \$5,000 of the general fund—state appropriation for fiscal year 2025 are provided for the Puget Sound educational service district to administer the grant program.

(15) \$5,000,000 of the general fund—state appropriation for fiscal year 2024 ~~((is))~~ and \$1,200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to continue behavioral health regional services grants to support school districts with the least access to behavioral health services. The office of the superintendent of public instruction shall conduct an evaluation of the investments in behavioral health supports and by December 31, 2024, report to the office of financial management and the fiscal committees of the legislature, the number of students served by specific behavioral health supports, how the students were selected for specific behavioral health supports, and how the students may have received behavioral health supports, and make recommendations for improving behavioral health supports for students.

(16) \$2,800,000 of the general fund—state appropriation for fiscal year 2024 and \$2,800,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the educational service districts to expand and maintain student behavioral health and mental health services.

(17) \$643,000 of the general fund—state appropriation for fiscal year 2024 and \$643,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for educational service districts 121 and 101 to coordinate with local mental health agencies and local school districts to arrange for in-school placements of social worker associates licensed under RCW 18.225.145 and masters in social work candidates enrolled in an accredited university program who commit to working as school social workers, and to coordinate clinical supervision for approved supervisors that meet the requirements as defined in rule by the department of health to provide the necessary supervision to the social worker associates and masters in social work candidates.

(18) \$125,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to work with educational service districts, the health care authority, and the department of health to review and update materials for information sessions provided to students designed to prevent the use of opioids, including fentanyl, specifically outlining the risks of death related to uneven dosages and pills that look like prescription drugs. If Second Substitute House Bill No. 1956 (relating to fentanyl and other substance use prevention education) is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(19) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for educational service district 112 to offer a teacher residency program during the 2024-25 school year.

(20) \$500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for educational service district 112 to support a therapeutic educational program for students in Clark, Cowlitz, and Skamania counties.

(21) \$180,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Puget Sound educational service district 121 to contract with a Washington-

based Muslim and Arab community organization serving communities throughout the state, with experience in building educational campaigns and supporting Muslim and Arab students in our state and that has been incorporated in Washington for over 10 years, in partnership with an expert curriculum and professional development nonprofit organization with at least 10 years of experience, to support Washington teachers in implementing and incorporating lessons on Islamophobia in accordance with RCW 28A.150.210. If a Washington-based organization cannot be found, the office may seek proposals from organizations incorporated outside of Washington. Of the amounts provided in this subsection, \$5,000 of the general fund—state appropriation for fiscal year 2025 is provided for the Puget Sound educational service district to administer the contract.

Sec. 511. 2023 c 475 s 511 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR LOCAL EFFORT ASSISTANCE

General Fund—State Appropriation (FY 2024)	(((\$215,327,000))
	\$213,689,000
General Fund—State Appropriation (FY 2025)	(((\$211,159,000))
	\$211,467,000
TOTAL APPROPRIATION	(((\$426,486,000))
	\$425,156,000

Sec. 512. 2023 c 475 s 512 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund—State Appropriation (FY 2024)	(((\$14,899,000))
	\$16,148,000
General Fund—State Appropriation (FY 2025)	(((\$14,635,000))
	\$16,754,000
TOTAL APPROPRIATION	(((\$29,534,000))
	\$32,902,000

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

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

(2) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

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

(4) The funded staffing ratios for education programs for juveniles age 18 or less in department of corrections facilities shall be the same as those provided in the 1997-99 biennium.

(5) \$701,000 of the general fund—state appropriation for fiscal year 2024 and \$701,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to maintain at least one certificated instructional staff and related support services at an institution whenever the K-12 enrollment is not sufficient to support one full-time equivalent certificated instructional staff to furnish the educational program. The following types of institutions are included: Residential programs under the department of social and health services for developmentally

disabled juveniles, programs for juveniles under the department of corrections, programs for juveniles under the juvenile rehabilitation administration, and programs for juveniles operated by city and county jails.

(6) Within the amounts provided in this section, funding is provided to increase the capacity of institutional education programs to differentiate instruction to meet students' unique educational needs, including students with individualized educational plans. Those needs may include but are not limited to one-on-one instruction, enhanced access to counseling for social emotional needs of the student, and services to identify the proper level of instruction at the time of student entry into the facility. Allocations of amounts for this purpose in a school year must be based on 45 percent of full-time enrollment in institutional education receiving a differentiated instruction amount per pupil equal to the total statewide allocation generated by the distribution formula under RCW 28A.150.260 (4)(a), (5), (6), and (8) and the allocation under RCW 28A.150.415, per the statewide full-time equivalent enrollment in common schools.

(7) \$200,000 of the general fund—state appropriation in fiscal year 2024 and \$200,000 of the general fund—state appropriation in fiscal year 2025 are provided solely to support two student records coordinators to manage the transmission of academic records for each of the long-term juvenile institutions. One coordinator is provided for each of the following: The Issaquah school district for the Echo Glen children's center and for the Chehalis school district for Green Hill academic school.

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

(9) \$588,000 of the general fund—state appropriation for fiscal year 2024 and \$897,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one educational advocate to each institution with enrollments above 40 full-time equivalent students in addition to any educational advocates supported by federal funding. Educational advocates will provide the following supports to students enrolled in or just released from institutional education programs:

- (a) Advocacy for institutional education students to eliminate barriers to educational access and success;
- (b) Consultation with juvenile rehabilitation staff to develop educational plans for and with participating youth;
- (c) Monitoring educational progress of participating students;
- (d) Providing participating students with school and local resources that may assist in educational access and success upon release from institutional education facilities; and
- (e) Coaching students and caregivers to advocate for educational needs to be addressed at the school district upon return to the community.

(10) Within the amounts provided in this section, funding is provided to increase materials, supplies, and operating costs by \$85 per pupil for technology supports for institutional education programs. This funding is in addition to general education materials, supplies, and operating costs provided to institutional education programs, which exclude formula costs supported by the institutional facilities.

(11) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support instruction in cohorts of students grouped by similar age and academic levels.

(12) \$5,000 of the general fund—state appropriation for fiscal year 2024 and \$8,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute House Bill No. 2494 (school operating costs). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

(13) \$5,000 of the general fund—state appropriation for fiscal year 2024 and \$9,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amounts provided in this subsection shall lapse.

Sec. 513. 2023 c 475 s 513 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund—State	Appropriation	(FY 2024)	
.....			(\$33,233,000)
			\$33,171,000
General Fund—State	Appropriation	(FY 2025)	
.....			(\$32,990,000)
			\$32,995,000
TOTAL APPROPRIATION			(\$66,223,000)
			\$66,166,000

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

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

(2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school district programs for highly capable students as provided in RCW 28A.150.260(10)(c) except that allocations must be based on 5.0 percent of each school district's full-time equivalent enrollment. In calculating the allocations, the superintendent shall assume the following: (i) Additional instruction of 2.1590 hours per week per funded highly capable program student; (ii) fifteen highly capable program students per teacher; (iii) 36 instructional weeks per year; (iv) 900 instructional hours per teacher; and (v) the compensation rates as provided in sections 505 and 506 of this act.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts programs for highly capable students as provided in section 513, chapter 297, Laws of 2022, as amended.

Sec. 514. 2023 c 475 s 514 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR MISCELLANEOUS—EVERY STUDENT SUCCEEDS ACT

General Fund—Federal Appropriation.....	(\$9,802,000)
	\$11,416,000
TOTAL APPROPRIATION	(\$9,802,000)
	\$11,416,000

Sec. 515. 2023 c 475 s 515 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—EDUCATION REFORM PROGRAMS

General Fund—State	Appropriation	(FY 2024)	
.....			(\$139,296,000)
			\$132,050,000
General Fund—State	Appropriation	(FY 2025)	
.....			(\$141,513,000)
			\$146,775,000
General Fund—Federal Appropriation.....			(\$95,825,000)
			\$97,174,000
General Fund—Private/Local Appropriation			\$1,450,000
Education Legacy Trust Account—State Appropriation			\$1,664,000
TOTAL APPROPRIATION			(\$379,748,000)
			\$379,113,000

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

(1) ACCOUNTABILITY

(a) \$26,975,000 of the general fund—state appropriation for fiscal year 2024, \$26,975,000 of the general fund—state appropriation for fiscal year 2025, \$1,350,000 of the education legacy trust account—state appropriation, and \$15,868,000 of the general fund—federal appropriation are provided solely for development and implementation of the Washington state assessment system.

(b) \$14,352,000 of the general fund—state appropriation for fiscal year 2024 and \$14,352,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 159, Laws of 2013 (K-12 education - failing schools).

(2) EDUCATOR CONTINUUM

(a) (~~(\$75,317,000)~~) \$68,070,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$77,424,000)~~) \$77,623,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the following bonuses for teachers who hold valid, unexpired certification from the national board for professional teaching standards and who are teaching in a Washington public school, subject to the following conditions and limitations:

(i) For national board certified teachers, a bonus of \$6,206 per teacher in the 2023-24 school year and a bonus of (~~(\$6,336)~~) \$6,324 per teacher in the 2024-25 school year;

(ii) An additional \$5,000 annual bonus shall be paid to national board certified teachers who teach in either: (A) High schools where at least 50 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, (B) middle schools where at least 60 percent of student headcount enrollment is eligible for federal free or reduced-price lunch, or (C) elementary schools where at least 70 percent of student headcount enrollment is eligible for federal free or reduced-price lunch;

(iii) The superintendent of public instruction shall adopt rules to ensure that national board certified teachers meet the qualifications for bonuses under (b) of this subsection for less than one full school year receive bonuses in a prorated manner. All bonuses in this subsection will be paid in July of each school year. Bonuses in this subsection shall be reduced by a factor of 40 percent for first year NBPTS certified teachers, to reflect the portion of the instructional school year they are certified; and

(iv) During the 2023-24 and 2024-25 school years, and within available funds, certificated instructional staff who have met the eligibility requirements and have applied for certification from the national board for professional teaching standards may receive a conditional loan of two thousand dollars or the amount set by the office of the superintendent of public instruction to contribute toward the current assessment fee, not including the initial up-front candidacy payment. The fee shall be an advance on the first annual bonus under RCW 28A.405.415. The conditional loan is provided in addition to compensation received under a district's salary allocation and shall not be included in calculations of a district's average salary and associated salary limitation under RCW 28A.400.200. Recipients who fail to receive certification after fully exhausting all years of candidacy as set by the national board for professional teaching standards are required to repay the conditional loan. The office of the superintendent of public instruction shall adopt rules to define the terms for initial grant of the assessment fee and repayment, including applicable fees. To the extent necessary, the superintendent may use revenues from the repayment of conditional loan scholarships to ensure payment of all national board bonus payments required by this section in each school

year.

(b) \$3,418,000 of the general fund—state appropriation for fiscal year 2024 and \$3,418,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of a new performance-based evaluation for certificated educators and other activities as provided in chapter 235, Laws of 2010 (education reform) and chapter 35, Laws of 2012 (certificated employee evaluations).

(c) \$477,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$477,000)~~) \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the leadership internship program for superintendents, principals, and program administrators.

(d) \$810,000 of the general fund—state appropriation for fiscal year 2024 and \$810,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development of a leadership academy for school principals and administrators. The superintendent of public instruction shall contract with an independent organization to operate a state-of-the-art education leadership academy that will be accessible throughout the state. Semiannually the independent organization shall report on amounts committed by foundations and others to support the development and implementation of this program. Leadership academy partners shall include the state level organizations for school administrators and principals, the superintendent of public instruction, the professional educator standards board, and others as the independent organization shall identify.

(e) \$11,500,000 of the general fund—state appropriation for fiscal year 2024 and \$11,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a beginning educator support program (BEST). The program shall prioritize first year educators in the mentoring program. School districts and/or regional consortia may apply for grant funding. The program provided by a district and/or regional consortia shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning educator aligned with professional certification; release time for mentors and new educators to work together; and educator observation time with accomplished peers. Funding may be used to provide statewide professional development opportunities for mentors and beginning educators. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to support first year educators in the mentoring program.

(f) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the provision of training for teachers, principals, and principal evaluators in the performance-based teacher principal evaluation program.

(g) \$3,500,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with an approved educator preparation program run by a statewide labor organization representing educators to fund cohorts of teacher residents. This program shall choose its candidates from among the paraeducators working in those districts. Through completing this program, participants shall attain a teaching certification with an endorsement in special education.

(h) \$621,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with a statewide labor association that represents educators to provide a suite of supports and professional development opportunities for 15,000 emergency

substitute teachers.

(i) \$720,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to conduct a feasibility study on the costs and timeline for developing a database and tool to identify real-time and future educator workforce shortages.

Sec. 516. 2023 c 475 s 516 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund—State	Appropriation	(FY 2024)	
			.....((\$236,993,000))
			<u>\$249,957,000</u>
General Fund—State	Appropriation	(FY 2025)	
			.....((\$236,173,000))
			<u>\$260,599,000</u>
General Fund—Federal Appropriation			.....((\$107,124,000))
			<u>\$137,117,000</u>
TOTAL APPROPRIATION			.....((\$580,290,000))
			<u>\$647,673,000</u>

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

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

(2)(a) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school districts for transitional bilingual programs under RCW 28A.180.010 through 28A.180.080, including programs for exited students, as provided in RCW 28A.150.260(10)(b) and the provisions of this section. In calculating the allocations, the superintendent shall assume the following averages: (i) Additional instruction of 4.7780 hours per week per transitional bilingual program student in grades kindergarten through six and 6.7780 hours per week per transitional bilingual program student in grades seven through twelve in school years 2023-24 and 2024-25; (ii) additional instruction of 3.0000 hours per week in school years 2023-24 and 2024-25 for the head count number of students who have exited the transitional bilingual instruction program within the previous two years based on their performance on the English proficiency assessment; (iii) fifteen transitional bilingual program students per teacher; (iv) 36 instructional weeks per year; (v) 900 instructional hours per teacher; and (vi) the compensation rates as provided in sections 505 and 506 of this act. Pursuant to RCW 28A.180.040(1)(g), the instructional hours specified in (a)(ii) of this subsection (2) are within the program of basic education.

(b) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts for transitional bilingual instruction programs as provided in section 516, chapter 297, Laws of 2022, as amended.

(3) The superintendent may withhold allocations to school districts in subsection (2) of this section solely for the central provision of assessments as provided in RCW 28A.180.090 (1) and (2) up to the following amounts: (~~(+75)~~) 1.64 percent for school year 2023-24 and (~~(+74)~~) 1.57 percent for school year 2024-25.

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

(5) \$35,000 of the general fund—state appropriation for fiscal year 2024 and \$35,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to track current and former transitional bilingual program students.

(6) \$1,461,000 of the general fund—state appropriation in

fiscal year 2024 and \$1,916,000 of the general fund—state appropriation in fiscal year 2025 are provided solely for the central provision of assessments as provided in RCW 28A.180.090, and is in addition to the withholding amounts specified in subsection (3) of this section.

Sec. 517. 2023 c 475 s 517 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE LEARNING ASSISTANCE PROGRAM

General Fund—State	Appropriation	(FY 2024)	
			.....((\$467,338,000))
			<u>\$484,953,000</u>
General Fund—State	Appropriation	(FY 2025)	
			.....((\$466,985,000))
			<u>\$491,565,000</u>
General Fund—Federal Appropriation			.....((\$533,487,000))
			<u>\$636,543,000</u>
TOTAL APPROPRIATION			.....((\$1,467,810,000))
			<u>\$1,613,061,000</u>

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

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

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

(b)(i) For the 2023-24 and 2024-25 school years, the superintendent shall allocate funding to school districts for learning assistance programs as provided in RCW 28A.150.260(10)(a). In calculating the allocations, the superintendent shall assume the following averages: (A) Additional instruction of 2.3975 hours per week per funded learning assistance program student for the 2023-24 and 2024-25 school years; (B) additional instruction of 1.1 hours per week per funded learning assistance program student for the 2023-24 and 2024-25 school years in qualifying high-poverty school building; (C) fifteen learning assistance program students per teacher; (D) 36 instructional weeks per year; (E) 900 instructional hours per teacher; and (F) the compensation rates as provided in sections 505 and 506 of this act.

(ii) From July 1, 2023, to August 31, 2023, the superintendent shall allocate funding to school districts for learning assistance programs as provided in section 517, chapter 297, Laws of 2022, as amended.

(c) A school district's funded students for the learning assistance program shall be the sum of the district's full-time equivalent enrollment in grades K-12 multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced-price lunch in the school year period defined under RCW 28A.150.260(10)(a). A school year's October headcount enrollment for free and reduced-price lunch shall be as reported in the comprehensive education data and research system.

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

(3) The general fund—federal appropriation in this section is provided for Title I Part A allocations of the every student succeeds act of 2016.

(4) A school district may carry over from one year to the next up to 10 percent of the general fund—state funds allocated under this program; however, carryover funds shall be expended for the

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learning assistance program.

(5) Within existing resources, during the 2023-24 and 2024-25 school years, school districts are authorized to use funds allocated for the learning assistance program to also provide assistance to high school students who have not passed the state assessment in science.

Sec. 518. 2023 c 475 s 518 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—PER PUPIL ALLOCATIONS

Statewide Average Allocations			
Per Annual Average Full-Time Equivalent Student			
Basic Education Program	2023-24 School Year	2024-25 School Year	
General Apportionment	(\$10,329) \$10,354	(\$10,814) \$10,859	
Pupil Transportation	(\$725) \$783	(\$745) \$803	
Special Education Programs	(\$11,960) \$12,272	(\$12,495) \$12,762	
Institutional Education Programs	(\$26,938) \$25,795	(\$27,909) \$27,327	
Programs for Highly Capable Students	(\$648) \$647	(\$674) \$675	
Transitional Bilingual Programs	(\$1,555) \$1,571	(\$1,594) \$1,622	
Learning Assistance Program	(\$1,008) \$1,009	(\$1,049) \$1,052	

Sec. 519. 2023 c 475 s 519 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION

(1) Amounts distributed to districts by the superintendent through part V of this act are for allocation purposes only, unless specified by part V of this act, and do not entitle a particular district, district employee, or student to a specific service, beyond what has been expressly provided in statute. Part V of this act restates the requirements of various sections of Title 28A RCW. If any conflict exists, the provisions of Title 28A RCW control unless this act explicitly states that it is providing an enhancement. Any amounts provided in part V of this act in excess of the amounts required by Title 28A RCW provided in statute, are not within the program of basic education unless clearly stated by this act.

(2) When adopting new or revised rules or policies relating to the administration of allocations in part V of this act that result in fiscal impact, the office of the superintendent of public instruction shall seek legislative approval through the budget request process.

(3) Appropriations made in this act to the office of the superintendent of public instruction shall initially be allotted as required by this act. Subsequent allotment modifications shall not include transfers of moneys between sections of this act, except as provided in ~~(subsection)~~ subsections (6) and (7) of this section.

(4) Appropriations in sections 504 and 506 of this act for insurance benefits under chapter 41.05 RCW are provided solely for the superintendent to allocate to districts for employee health benefits as provided in section 909 of this act. The superintendent may not allocate, and districts may not expend, these amounts for any other purpose beyond those authorized in section 909 of this act.

(5) As required by RCW 28A.710.110, the office of the superintendent of public instruction shall transmit the charter school authorizer oversight fee for the charter school commission to the charter school oversight account.

(6) By January 15, 2024, the office of the superintendent of public instruction must identify funding in this Part V from the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f), the American rescue plan act of 2021, P.L. 11 117-2 and general fund—federal appropriation (CRRSA/GEER) that are provided solely for the purposes defined in sections 507, 522, and 523 of this act and are at risk of being unobligated or unspent by federal deadlines, as of January 15, 2024. Funding identified at risk under this subsection must be reported to the fiscal committees of the legislature and expended as allocations to school districts in the same proportion as received under part A of title I of the elementary and secondary education act of 1965 in the most recent fiscal year.

(7) The appropriations to the office of the superintendent of public instruction in this act shall be expended for the programs and amounts specified in this act. However, after May 1, 2024, unless specifically prohibited by this act and after approval by the director of financial management, the superintendent of public instruction may transfer state general fund appropriations for fiscal year 2024 among the following programs to meet the apportionment schedule for a specified formula in another of these programs: General apportionment; employee compensation adjustments; pupil transportation; special education programs; institutional education programs; transitional bilingual programs; highly capable programs; and learning assistance programs.

(8) The director of financial management shall notify the appropriate legislative fiscal committees in writing prior to approving any allotment modifications or transfers under this section.

Sec. 520. 2023 c 475 s 520 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR CHARTER SCHOOLS

Washington Opportunity Pathways Account—State	
Appropriation	(\$184,721,000) \$178,654,000
TOTAL APPROPRIATION	(\$184,721,000) \$178,654,000

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

(1) The superintendent shall distribute funding appropriated in this section to charter schools under chapter 28A.710 RCW. Within amounts provided in this section the superintendent may distribute funding for safety net awards for charter schools with demonstrated needs for special education funding beyond the amounts provided under chapter 28A.710 RCW.

(2) \$3,293,000 of the opportunity pathways account—state appropriation is provided solely for implementation of chapter 50, Laws of 2023 (K-12 inflationary increases).

(3) \$1,421,000 of the opportunity pathways account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1436 (special education funding). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(4) \$224,000 of the opportunity pathways account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2494 (school operating costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(5) \$111,000 of the opportunity pathways account—state

appropriation is provided solely for implementation of Substitute House Bill No. 2180 (special education cap). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(6) \$7,815,000 of the opportunity pathways account—state appropriation is provided solely for payment for enrichment to charter schools.

(7) \$355,000 of the opportunity pathways account—state appropriation is provided solely to implement Second Substitute Senate Bill No. 5882 (prototypical school staffing). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 521. 2023 c 475 s 521 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE WASHINGTON STATE CHARTER SCHOOL COMMISSION

Washington Opportunity Pathways Account—State Appropriation.....	((\$23,000))
	<u>\$640,000</u>
Charter Schools Oversight Account—State Appropriation.....	\$4,572,000
TOTAL APPROPRIATION.....	((\$4,595,000))
	<u>\$5,212,000</u>

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

(1) The entire Washington opportunity pathways account—state appropriation in this section is provided to the superintendent of public instruction solely for the operations of the Washington state charter school commission under chapter 28A.710 RCW.

(2) \$28,000 of the charter schools oversight account—state appropriation is provided solely to the Washington state charter school commission to enable each charter school to participate in the governance training required under chapter 197, Laws of 2021 (schools/equity training).

(3) \$238,000 of the charter schools oversight account—state appropriation is provided solely for office of the attorney general legal services related to litigation challenging the commission's authority to oversee and regulate charter schools.

Sec. 522. 2023 c 475 s 522 (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GRANTS AND PASS THROUGH FUNDING

General Fund—State Appropriation (FY 2024)	((\$85,370,000))
	<u>\$85,525,000</u>
General Fund—State Appropriation (FY 2025)	((\$81,400,000))
	<u>\$91,474,000</u>
General Fund—Federal Appropriation.....	((\$111,255,000))
	<u>\$113,347,000</u>
<u>Coronavirus State Fiscal Recovery Fund—Federal Appropriation.....</u>	<u>\$1,354,000</u>
Elementary and Secondary School Emergency Relief III Account—Federal Appropriation	\$897,895,000
<u>Opioid Abatement Settlement Account—State Appropriation.....</u>	<u>\$900,000</u>
<u>Workforce Education Investment Account—State Appropriation.....</u>	<u>\$400,000</u>
TOTAL APPROPRIATION.....	((\$1,175,920,000))
	<u>\$1,190,895,000</u>

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

(1) \$132,000 of the general fund—state appropriation for fiscal

year 2024 and \$162,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for global compensation changes.

(2) GRADUATION SUCCESS AND PREPARATION FOR POSTSECONDARY PATHWAYS

(a) \$4,894,000 of the general fund—state appropriation for fiscal year 2024 and \$4,894,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to administer programs and grants which increase equitable access to dual credit programs, including subsidizing or eliminating student costs for dual credit courses or exams. By November 2024, the office shall submit a report to relevant committees of the legislature describing options for entering into statewide agreements with dual credit exam companies that will reduce the overall costs for all students and eliminate costs for students who are low income.

(b) \$3,152,000 of the general fund—state appropriation for fiscal year 2024 and \$3,152,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for secondary career and technical education grants pursuant to chapter 170, Laws of 2008, including parts of programs receiving grants that serve students in grades four through six. If equally matched by private donations, \$1,475,000 of the 2024 appropriation and \$1,475,000 of the 2025 appropriation shall be used to support FIRST robotics programs in grades four through twelve. Of the amounts provided in this subsection (2)(b), \$800,000 of the fiscal year 2024 appropriation and \$800,000 of the fiscal year 2025 appropriation are provided solely for the purpose of statewide supervision activities for career and technical education student leadership organizations.

(c) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for science, technology, engineering and mathematics lighthouse projects, consistent with chapter 238, Laws of 2010.

(d) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for advanced project lead the way courses at ten high schools. To be eligible for funding in 2024, a high school must have offered a foundational project lead the way course during the 2022-23 school year. The 2024 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2023-24 school year. To be eligible for funding in 2025, a high school must have offered a foundational project lead the way course during the 2023-24 school year. The 2025 funding must be used for one-time start-up course costs for an advanced project lead the way course, to be offered to students beginning in the 2024-25 school year. The office of the superintendent of public instruction and the education research and data center at the office of financial management shall track student participation and long-term outcome data. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(e) \$2,527,000 of the general fund—state appropriation for fiscal year 2024 and \$2,527,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for annual startup, expansion, or maintenance of core plus programs in maritime, construction, and aerospace and advanced manufacturing programs. To be eligible for funding to start up, maintain, or expand programs under (e)(i) through (iii) of this subsection (2), the skills center, high school, or middle school must be selected through a grant process administered by the office of the superintendent of public instruction in consultation

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with the advisory committee established in (e)(vi) of this subsection (2). The office and the education research and data center shall report annually student participation and long-term outcome data. Within the amounts provided in this subsection (2)(e):

(i) \$900,000 of the general fund—state appropriation for fiscal year 2024 and \$900,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in aerospace and advanced manufacturing programs.

(ii) \$550,000 of the general fund—state appropriation for fiscal year 2024 and \$550,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in construction programs.

(iii) \$550,000 of the general fund—state appropriation for fiscal year 2024 and \$550,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants for the annual startup, expansion, or maintenance of core plus programs in maritime programs.

(iv) For (e)(i) through (iii) of this subsection (2), when the grant demand does not align with the specified allocation, the superintendent may allocate funding toward sector areas that meet criteria based on agreement from industry sector representatives.

(v) \$527,000 of the general fund—state appropriation for fiscal year 2024 and \$527,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer, evaluate, and promote programs under (e)(i) through (iii) of this subsection (2) based on industry sector recommendations, including contracts with sector-specific entities to expand sector-specific employer engagement programs, increase work placement opportunities, validate credentials necessary for direct employment, and provide professional development to support schools, teachers, and students. Professional development must include pedagogy-based learning to increase English language arts, mathematics, and science outcomes through core plus programming.

(vi) The office shall collaborate with industry sector leadership from the core plus program areas and a representative from a statewide business and manufacturing association to inform the administration and continual improvement of core plus programs, review data and outcomes, recommend program improvements, ensure core plus programs reflect current industry competencies, and identify appropriate program credentials.

(f) \$4,940,000 of the general fund—state appropriation for fiscal year 2024 and \$4,940,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state achievers scholarship and Washington higher education readiness program. The funds shall be used to: Support community involvement officers that recruit, train, and match community volunteer mentors with students selected as achievers scholars; and to identify and reduce barriers to college for low-income and underserved middle and high school students. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(g) \$1,454,000 of the general fund—state appropriation for fiscal year 2024 and \$1,454,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracting with a college scholarship organization with expertise in conducting outreach to students concerning eligibility for the Washington college bound scholarship consistent with chapter 405, Laws of 2007. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement

framework.

(h) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an education and workforce pathway pilot program at the northwest career and technical academy. The pilot program will oversee a pathway including high schools, skills centers, community and technical colleges, and employers that results in students earning a high school diploma and an associate in technical arts degree, while maintaining summer employment.

(i) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to distribute after-exit running start grants ~~((to school))~~ for:

(i) School districts that identify running start students that have exceeded maximum enrollment under running start formulas ~~((and high))~~;

(ii) High school graduates who have 15 or fewer college credits to earn before meeting associate degree requirements for instruction not funded under section 504(18) of this act. High school graduates who meet these requirements are eligible to receive funds from these grants for fees to the community and technical college to earn up to 15 college credits during the summer academic term following their high school graduation; and

(iii) School districts to apply an enhanced factor of 130 percent to the running start rate under RCW 28A.600.310 for students included in July and August enrollment counts in school year 2023-24. Of the amounts provided in this subsection, \$347,000 of the general fund—state appropriation for fiscal year 2025 is provided for the office to enhance the running start rate as described in this subsection (2)(i)(iii). The office must apply the enhanced summer running start rate in this subsection for students eligible to take summer running start courses under this subsection and under section 504(18) of this act, and grant school districts seven percent thereof to offset program related costs.

(j) \$2,094,000 of the general fund—state appropriation for fiscal year 2024 and \$2,076,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the competitive grant program created in Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(k) \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the West Sound STEM Network to increase STEM activities for students in school and after school and to develop industry education pathways in high demand sectors.

(l) \$500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with a nongovernmental entity for a controls programmer apprenticeship program.

(m) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$25,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a skill center located in Vancouver, Washington to support the center's criminal justice and fire science programs.

(n) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to conduct summer open doors pilots with up to 12 dropout reengagement programs to support summer programming. To select pilot participants, the office must prioritize schools and programs that

work with postresident youth as defined in RCW 28A.190.005. Amounts provided in this subsection must be used to support programming during the summer months and are in addition to funding generated by enrollment under state funding formulas.

(o) \$400,000 of the workforce education investment account—state appropriation is provided solely for the Federal Way school district to contract with an organization to offer state-recognized apprenticeship preparation program opportunities for all high school students in south King county in the summer. The organization must have prior experience working with school districts and must provide quality training, employment navigation, and supportive services that lead to family wage careers. The program must support at least two cohorts of students each summer, and the organization must provide stipends to students participating in state-recognized apprenticeship preparation programs during the summer months.

(p) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for grants to school districts to install at least one automatic external defibrillator. The office shall establish a grant program to assist school districts to offset the costs of purchasing an automatic external defibrillator (AED) or to maintain or replace an AED.

(q) \$20,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office for a grant to Evergreen high school in White Center to support the associated student body at the high school.

(r) \$425,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for a grant to an established network for a pilot project to provide opportunities for youth to see themselves in high demand science, technology, engineering, and math in the northwest and southeast regions.

(s) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for grants to school districts to develop and implement capacity building supports for community-based youth development. School districts receiving grants under this subsection will offer programs that serve youth between the ages of 11 and 19.

(t) \$3,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to school districts for ninth grade success. Within the amounts in this subsection, funding is provided for the office to contract with an evaluator to conduct a yearly evaluation of the program's success.

(u) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office for a grant to the Seattle public school district to conduct an analysis of why families have left the district and how they may be attracted back. The Seattle public school district shall provide a report to the office of financial management and the fiscal committees of the legislature by June 30, 2025, that addresses the reasons for families leaving the district and specific steps necessary for them to return to the district.

(v) \$1,400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to small districts to enable access to skills centers and technical education. For purposes of this subsection (2)(v), "small district" means a district having an enrollment of fewer than 2,750 students.

(3) CURRICULUM DEVELOPMENT, DISSEMINATION, AND SUPPORTS

(a) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for project citizen and we the people: The citizen and the constitution programs sponsored by the national conference of state legislatures and the center for civic education to promote participation in government by middle and high school students. Of the amounts provided, \$15,000 of

the general fund—state appropriation for fiscal year 2024 and \$15,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for awarding a travel grant to the winner of the we the people: The citizen and the constitution state competition.

(b) \$373,000 of the general fund—state appropriation for fiscal year 2024 and \$373,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 127, Laws of 2018 (civics education). Of the amounts provided in this subsection (3)(b), \$10,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grant programs to school districts to help cover travel costs associated with civics education competitions.

(c) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction for statewide implementation of career and technical education course equivalency frameworks authorized under RCW 28A.700.070 for math and science. This may include development of additional equivalency course frameworks, course performance assessments, and professional development for districts implementing the new frameworks.

(d) Within the amounts appropriated in this section the office of the superintendent of public instruction shall ensure career and technical education courses are aligned with high-demand, high-wage jobs. The superintendent shall verify that the current list of career and technical education courses meets the criteria established in RCW 28A.700.020(2). The superintendent shall remove from the list any career and technical education course that no longer meets such criteria.

(e) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to provide grants to school districts and educational service districts for science teacher training in the next generation science standards including training in the climate science standards. At a minimum, school districts shall ensure that teachers in one grade level in each elementary, middle, and high school participate in this science training. Of the amount appropriated \$1,000,000 is provided solely for community-based nonprofits including tribal education organizations to partner with public schools for next generation science standards.

(f) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Kip Tokuda memorial Washington civil liberties public education program. The superintendent of public instruction shall award grants consistent with RCW 28A.300.410.

(g) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state leadership and assistance for science education reform (LASER) regional partnership activities, including instructional material purchases, teacher and principal professional development, and school and community engagement events. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(h) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants of \$2,500 to provide twenty middle and high school teachers each year with professional development training for implementing integrated math, science, technology, and engineering programs in their

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schools.

(i) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the computer science and education grant program to support the following three purposes: Train and credential teachers in computer sciences; provide and upgrade technology needed to learn computer science; and, for computer science frontiers grants to introduce students to and engage them in computer science. The office of the superintendent of public instruction must use the computer science learning standards adopted pursuant to chapter 3, Laws of 2015 (computer science) in implementing the grant, to the extent possible. Additionally, grants provided for the purpose of introducing students to computer science are intended to support innovative ways to introduce and engage students from historically underrepresented groups, including girls, low-income students, and minority students, to computer science and to inspire them to enter computer science careers. The office of the superintendent of public instruction may award up to \$500,000 each year, without a matching requirement, to districts with greater than fifty percent of students eligible for free and reduced-price meals. All other awards must be equally matched by private sources for the program, including gifts, grants, or endowments.

(j) \$750,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$750,000)~~ \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a qualified 501(c)(3) nonprofit community-based organization physically located in Washington state that has at least 18 years of experience collaborating with the office and school districts statewide to integrate the state learning standards in English language arts, mathematics, and science with FieldSTEM outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resource, and agricultural sectors. The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(k) \$62,000 of the general fund—state appropriation for fiscal year 2024 and \$62,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for competitive grants to school districts to increase the capacity of high schools to offer AP computer science courses. In making grant allocations, the office of the superintendent of public instruction must give priority to schools and districts in rural areas, with substantial enrollment of low-income students, and that do not offer AP computer science. School districts may apply to receive either or both of the following grants:

(i) A grant to establish partnerships to support computer science professionals from private industry serving on a voluntary basis as coinstructors along with a certificated teacher, including via synchronous video, for AP computer science courses; or

(ii) A grant to purchase or upgrade technology and curriculum needed for AP computer science, as well as provide opportunities for professional development for classroom teachers to have the requisite knowledge and skills to teach AP computer science.

(l) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Mobius science center to expand mobile outreach of science, technology, engineering, and mathematics (STEM) education to students in rural, tribal, and low-income communities.

(m) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the centrum program

at Fort Worden state park.

(n) \$20,000,000 of the general fund—state appropriation for fiscal year 2024 and \$20,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer an outdoor learning grant program to develop and support outdoor educational experiences for students in Washington public schools. A portion of the amount provided must be used to provide outdoor educational opportunities for people with disabilities. The office may consult with the Washington recreation and conservation office on outdoor learning program grants. Of the amounts provided in this subsection (3)(n):

(i) \$195,000 of the general fund—state appropriation for fiscal year 2024 and \$195,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to implement chapter 112, Laws of 2022 (outdoor learning grant prg.).

(ii) \$3,903,000 of the general fund—state appropriation for fiscal year 2024 and \$3,903,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the outdoor learning grant program, which consists of two types of grants:

(A) Allocation-based grants for school districts to develop or support outdoor educational experiences; and

(B) Competitive grants for outdoor education providers that are designed to support existing capacity and to increase future capacity for outdoor learning experiences.

(iii) \$15,902,000 of the general fund—state appropriation for fiscal year 2024 and \$15,902,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the outdoor education experiences program. The office must prioritize providing the program to fifth and sixth grade students in high poverty schools, expanding to other fifth and sixth grade students subject to available funds.

(o) \$3,205,000 of the general fund—state appropriation for fiscal year 2024 and \$3,205,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 238, Laws of 2022 (student financial literacy) which provides grants to school districts for integrating financial literacy education into professional development for certificated staff.

(p)(i) \$1,425,000 of the general fund—state appropriation for fiscal year 2024 and \$4,725,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for dual language grants to grow capacity for high quality dual language learning. Grant funding may be used for new and existing dual language programs, heritage language programs for immigrant and refugee students, and indigenous language programs for native students. Of the amounts provided in this subsection, \$1,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for tribal language grants.

(ii) Each grant recipient must convene an advisory board to guide the development and continuous improvement of its dual language program, including but not limited to: Determining which schools and languages will be prioritized; conducting outreach to the community; and addressing enrollment considerations and the hiring of staff. At least half the members of the board must be parents of English learner students or current or former English learner students. The other members of the board must represent teachers, students, school leaders, governing board members, youth, and community-based organizations that support English learners.

(q) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 ~~(is)~~ and \$3,004,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a

statewide information technology academy program. This public-private partnership will provide educational software, as well as information technology certification and software training opportunities for students and staff in public schools (~~for the 2023-24 school year only. The office must evaluate other options that may be available in the state for a future public-private partnership to deliver similar services to students and staff of public schools at no cost to the state~~)).

(r) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nongovernmental entity whose goals are to reduce disparities in student performance and improve algebraic achievement to create a statewide interactive math tutoring tool for middle and high school students that is accessible on a 24 hour basis to students, teachers, and parents across the state. The nongovernmental entity must have previously contracted with five other states and have demonstrated experience creating statewide interactive math tools with proven outcomes in math proficiency.

(s) \$2,036,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a gravitational wave observatory located in southeastern Washington that is supported through the national science foundation to purchase hands-on, interactive exhibits to expand the number of developmentally appropriate learning activities available for K-12 students attending the observatory.

(t) \$170,000 of the general fund—state appropriation for fiscal year 2024 and \$170,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continuation of the math improvement pilot program. Of the amounts provided in this subsection:

(i) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Spokane school district.

(ii) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Chehalis school district.

(u) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to administer grants to school districts for a plant-based school meals pilot program. Grants may be used for food supplies, delivery costs, equipment purchases, education, and other expenditures to increase access to plant-based school meals. Grant awards to school districts may not exceed \$10,000 per district and may only be distributed to school districts that have not received funding for the pilot program previously.

(v) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with an organization that works with educators to secure salmon eggs, offer learning opportunities as the fry develop, and assist when students release their fry into local creeks and lakes. Funding may only be used for new programs located in elementary schools that are eligible for high-poverty allocations from the learning assistance program. Of the amounts provided in this subsection, the office may use no more than \$35,000 each fiscal year for office administration costs related to the contract.

(w) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for transitional support grants to school districts to support schools that incur costs transitioning from Native American school mascots, logos, or team names

under chapter 301, Laws of 2021. In awarding grants under this subsection, the office must prioritize maximizing the number of schools that receive grant awards and address the most immediate school needs in order to comply with chapter 301, Laws of 2021, and must prioritize applications that are narrowly tailored to address specific compliance issues. School districts receiving funding to comply with the requirements of chapter 301, Laws of 2021 must use the methods that are the least costly and that leave intact existing facilities, including interiors and flooring, to the greatest extent possible. Grants awarded under this section may not be used for general maintenance or improvements of school facilities.

(x) \$35,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with a nonprofit organization to print civics education books and physical teachers' guides in Spanish for elementary students and teachers.

(y) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with a nonprofit organization to continue sexual assault prevention education programming to K-12 schools in Tacoma and expand services to the Franklin-Pierce school district. The contractor must be a state-accredited community sexual assault program serving Pierce county that provides professional training, prevention education, intervention, and advocacy programs for victims of sexual assault, sexual abuse, and sex trafficking.

(z)(i) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with a nonprofit organization to administer a pilot program to develop and implement a water safety curriculum in public schools. The pilot program will support the provision of water safety curriculum at 50 public schools during the 2024-25 school year, with a priority on schools with a high percentage of underserved students. In developing the water safety curriculum, the nonprofit organization must:

(A) Procure a landscape analysis of water safety education in Washington state;

(B) Determine where water safety education exists presently;

(C) Assess the level of drowning prevention awareness in each school district; and

(D) Hire an educator to lead the curriculum development process and recruit teachers to participate in the pilot program.

(ii) The organization must submit a report on the results of the pilot program to the governor and the appropriate committees of the legislature by June 30, 2025. The report must include:

(A) A summary of the data collected during the curriculum development;

(B) The curriculum piloted at the school districts;

(C) The efficacy of the curriculum, based on surveys and feedback collected from the pilot program classes and teachers;

(D) Teacher, district, and community member interest in the pilot program;

(E) Results and outcomes from the pilot program, including the number of students and schools served; and

(F) Recommendations for expanding the pilot program.

(iii) The nonprofit organization must be a 501(c)(3) organization located in Seattle that is dedicated to saving lives through water safety education, legislation, and increasing equitable access to swimming lessons and tools.

(aa) \$75,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to contract with a statewide nonprofit organization representing school principals to expand a student program that since 1956 has offered leadership education for all ages with proven programs, custom curriculum, and experiential opportunities that promote school-wide social and emotional growth.

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(bb) \$400,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office to administer grants to support the incorporation of tribal curriculum into social studies curricula. The tribal curriculum must include materials about the history, culture, and government of the nearest federally recognized Indian tribe or tribes, including federally recognized Indian tribes whose traditional lands and territories included parts of Washington, but that now reside in Oregon, Idaho, and British Columbia, for the purpose of giving students the opportunity to learn about the unique heritage and experience of their closest federally recognized tribal neighbors. Grant funding may be used for costs associated with curriculum design and implementation and costs related to collaboration with federally recognized Indian tribes, including reimbursements to tribes for collaboration-related costs. Of the amounts provided in this subsection:

(i) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to school districts; and

(ii) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for grants to federally recognized Indian tribes, including federally recognized Indian tribes whose traditional lands and territories included parts of Washington, but that now reside in Oregon, Idaho, and British Columbia.

(4) ELIMINATING INEQUITABLE STUDENT OUTCOMES

(a) \$5,895,000 of the general fund—state appropriation for fiscal year 2024, \$1,105,000 of the elementary and secondary school emergency relief III account—federal appropriation, and \$7,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a contract with a nongovernmental entity or entities for demonstration sites to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW pursuant to chapter 71, Laws of 2016 (foster youth edu. outcomes). The office may require the recipient of these funds to report the impacts of the recipient's efforts in alignment with the measures of the Washington school improvement framework.

(i) Of the amount provided in this subsection (4)(a), \$446,000 of the general fund—state appropriation for fiscal year 2024 and \$446,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established pursuant to the 2013-2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013, 2nd sp. sess.

(ii) Of the amount provided in this subsection (4)(a), \$1,015,000 of the general fund—state appropriation for fiscal year 2024 and \$1,015,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established pursuant to the 2015-2017 omnibus appropriations act, section 501(43)(b), chapter 4, Laws of 2015, 3rd sp. sess., as amended.

(iii) Of the amounts provided in this subsection (4)(a), \$684,000 of the general fund—state appropriation for fiscal year 2024 and \$684,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established with funding provided in the 2017-2019 omnibus appropriations act, chapter 1, Laws of 2017, 3rd sp. sess., as amended.

(iv) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the demonstration site established with funding provided in this act.

(v) \$55,000 of the general fund—state appropriation for fiscal year 2024 and \$55,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for maintaining and implementing the data sharing agreement between the office, the department of children, youth, and families, and the contractors

to support targeted service delivery, program evaluation, and statewide education outcomes measurement for students served under this section.

(vi) Of the amounts provided in this subsection (4)(a), \$1,105,000 of the elementary and secondary school emergency relief III account—federal appropriation and \$1,105,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the expansion of individualized education services such as monitoring and supporting completion of educational milestones, remediation needs, and special education needs of middle school students who are dependent pursuant to chapter 13.34 RCW.

(b) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 157, Laws of 2016 (homeless students).

(c) \$36,000 of the general fund—state appropriation for fiscal year 2024 and \$36,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for chapter 212, Laws of 2014 (homeless student educational outcomes).

(d) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contracts with Washington state based nonprofit organizations that provide a career-integrated one-to-one mentoring program for disadvantaged students facing academic and personal challenges with the goal of keeping them on track for graduation and post-high school success. An applicant requesting funding under this subsection must successfully demonstrate to the office that it currently provides a career-integrated one-to-one volunteer mentoring program and has been mentoring school youth for at least 20 years in the state prior to application.

(e) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with an organization to create an after-school and summer learning program in the city of Federal Way. The program shall provide comprehensive, culturally competent academic support and cultural enrichment for primarily latinx, spanish-speaking, low-income sixth, seventh, and eighth grade students. The department must contract with an organization with over forty years of experience that serves the latino community in Seattle and King county and has previously established an after-school and summer learning program.

(f) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to create and administer a grant program for districts to reduce associated student body fees or participation fees for students who are eligible to participate in the federal free and reduced-price meals program. The office must distribute grants for the 2023-24 school year to school districts by August 10, 2023, and grants for the 2024-25 school year by August 1, 2024.

(i) Grant awards must be prioritized in the following order:

(A) High schools implementing the United States department of agriculture community eligibility provision;

(B) High schools with the highest percentage of students in grades nine through twelve eligible to participate in the federal free and reduced-price meals program; and

(C) High schools located in school districts enrolling 5,000 or fewer students.

(ii) High schools that do not comply with the data collection and reporting requirements in RCW 28A.320.540 are not eligible

for grant funding.

(iii) The office of the superintendent of public instruction shall award grants that are the lesser of the cost of the high school's associated student body card multiplied by the number of students eligible for the free or reduced-price meals program that purchased a student body card in either 2022-23 or 2023-24 school year, whichever is higher, or \$10,000.

(iv) The office may award additional funding if:

(A) The appropriations provided are greater than the total amount of funding requested at the end of the application cycle; and

(B) The applicant shows a demonstrated need for additional support.

(g) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a Washington-based nonprofit organization to promote equitable access in science, technology, engineering, and math education for historically underserved students and communities. The nonprofit shall provide a system of science educational programming specifically for migrant and bilingual students, including teacher professional development, culturally responsive classroom resources that are aligned with Washington state science and environmental and sustainability learning standards, and implementation support. At least 50 percent of the funding provided in this subsection must serve schools and school districts in eastern Washington. The nonprofit organization must have experience developing and implementing science and environmental science programming and resources for migrant and bilingual students.

(h) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization serving opportunity youth in Pierce, King and Snohomish counties. The organization must assist traditionally underrepresented students on nontraditional educational pathways by providing mentorship and technical assistance in navigating higher education and financial aid. The office may require the recipient of these funds to report the impacts of the efforts in alignment with the measures of the Washington school improvement framework.

(i) \$1,399,000 of the general fund—state appropriation for fiscal year 2024 and \$1,399,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for school districts to support youth who are truant under chapter 28A.225 RCW or at risk of becoming truant, and for costs associated with filing or serving petitions under RCW 28A.225.030.

(j) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to school districts and educational service districts operating institutional education programs for youth in state long-term juvenile institutions to provide access to computer science elective courses created in chapter 234, Laws of 2022 (computer science instruction).

(k) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to school districts, charter schools, and state-tribal education compact schools to establish K-12 intensive tutoring programs. Grants shall be used to recruit, train, and hire tutors to provide one-on-one tutoring services to K-12 students experiencing learning loss as a result of the COVID-19 pandemic. The tutors must receive training in proven tutoring models to ensure their

effectiveness in addressing learning loss.

(l) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 180, Laws of 2017 (Washington Aim program).

(m) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a grant to the pacific science center to increase hands-on learning opportunities for Title I K-5 students statewide by increasing access to science on wheels and virtual field trips.

(n)(i) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer a peer support competitive grant program in Washington public schools. The office must award grants to eligible school districts starting in the 2023-24 school year. Programs should be designed to be primarily youth-led and aim to increase youth school engagement and support personal/cultural identities, and reduce risks associated with depression, school violence, and bullying. Successful grantees may consult with Washington teen link and the natural helper program in the development of the grant criteria, and the development of training material support. Program components should include:

(A) Identification of trusted peers and staff who other students confide in;

(B) Development or adaption of training materials;

(C) Intensive training for peer and staff supporters;

(D) Avenues to advertise peer support communication strategies; and

(E) Participant and program evaluations.

(ii) School districts may also use funds to develop a sister school rapid trauma response strategy. Under this component, successful applicants reach out to other schools also receiving a peer support grant to develop a trauma response plan that quickly organizes students and staff to contact peers within those schools during times of school trauma and offer support.

(iii) The office shall evaluate the program to share best practices and for consideration by other school districts.

(o) \$175,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$175,000)~~ \$525,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nonprofit organization to develop and provide a Latino youth-on-youth gang violence prevention program for students and to offer a parent coaching program. The program must target Latino students ages 11 through 17 who are either involved in or at risk of becoming involved in a gang or in gang activities, and parents of the students. ~~(Eligible youth must be enrolled in either the Moses Lake or Federal Way school districts.)~~ The nonprofit organization must have at least 15 years of experience serving Latino communities and promoting advocacy and must provide social kindergarten through 12th grade social emotional learning, mental health wraparound services, and parent engagement programs in Washington. Of the amounts provided in this subsection, \$350,000 of the general fund—state appropriation for fiscal year 2025 is for the nonprofit organization to offer a parent coaching program that provides educational and communication tools for parents with children involved in youth violence.

(p) \$2,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to administer the technology grant program established under chapter 301, Laws of 2021.

(q) \$625,000 of the general fund—state appropriation for fiscal

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year 2024 ((#)) and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with an organization located in SeaTac, Washington to provide wraparound social services and expand and maintain existing education and family engagement programs that serve students and their families in the Federal Way and Highline public school districts. The work of the organization must focus on housing and social services, education, and economic development for African immigrant and refugee communities.

(r) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office to contract with a nonprofit organization located in Everett, Washington to provide arts and culture programs to 500 low-income children and youth from diverse racial and ethnic backgrounds to close the education achievement gap in Snohomish county by improving student and youth confidence and improving mental health outcomes.

(s) \$360,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the Shelton School District to contract with an organization that provides a free early childhood music education to teach music literacy and key skills to prepare children for success in school. The organization must provide Spanish, Mam, and Q'anjob'al versions of the early learning music education program during the 2023-24 school year.

(t) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the office of the superintendent of public instruction to contract with an organization that provides bags of food for students in Thurston county schools who are impacted by food insecurity and do not have adequate access to food in the evenings, on weekends, during holiday breaks, and during the summer months. The organization must be an all-volunteer, donation-funded program that was created in 2006.

(u) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Nooksack tribe to fund behavioral health specialists to work with tribal and nontribal children in the Mount Baker school district.

(v)(i) \$900,000 of the opioid abatement settlement account—state appropriation is provided solely for the office of the superintendent of public instruction to administer a pilot program for volunteering state-tribal education compact schools and before and after school programs offered by tribes to adopt opioid and fentanyl abuse prevention materials and resources during the 2024-25 school year. Of the amounts provided in this subsection, \$900,000 of the opioid abatement settlement account—state appropriation is provided solely for the volunteering state-tribal education compact schools to implement the pilot program.

(ii) By August 1, 2024, the office must:

(A) Consult with parties of interest and expertise to develop, review, and select opioid and fentanyl abuse prevention materials and resources to be used in the pilot program during the 2024-25 school year. The materials and resources must include culturally appropriate application across the pilot program; and

(B) Submit a plan to the appropriate committees of the legislature detailing the implementation of the opioid and fentanyl abuse prevention materials and resources in the volunteering state-tribal education compact schools during the 2024-25 school year.

(iii) By June 30, 2025, the office must submit a final report to the appropriate committees of the legislature that includes:

(A) The initial results, experiences, or both, in the volunteering state-tribal education compact schools; and

(B) Recommendations and considerations for employing the

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materials and resources, with or without changes to improve their effectiveness or implementation, statewide.

(iv) The office may contract for necessary services to meet the requirements of this subsection.

(5) EDUCATOR GROWTH AND DEVELOPMENT

(a) \$375,000 of the general fund—state appropriation for fiscal year 2024 and \$375,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a nonviolence and ethical leadership training and professional development program provided by the institute for community leadership.

(b) \$250,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the office to contract with the association of Washington school principals to provide support, mentoring, mediation, and professional learning services to school principals and assistant principals in the greater Seattle area.

(c) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the office of the superintendent of public instruction to contract with a nonprofit organization that supports Washington teachers in implementing lessons on the Holocaust for the expansion of comprehensive Holocaust and genocide education.

(6) FEDERAL GRANTS FOR COVID-19 RECOVERY

(a) \$7,791,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely to administer a grant program for community-based organizations to collaborate with school districts to support learning recovery and acceleration.

(b) \$102,002,000 of the general fund—federal appropriation (CRRSA/ESSER) from funds attributable to subsection 313(c), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M is provided solely for subgrants to local education agencies. Total subgrants awarded under this subsection (6)(b), section 1517(47)(b) of this act, and section 12, chapter 3, Laws of 2021 may not exceed the federal amounts provided under subsection 313(c), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(c) \$9,253,000 of the general fund—federal appropriation (CRRSA/GEER) is provided solely to provide emergency assistance to nonpublic schools, as authorized in section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M. Total funds provided under this subsection (6)(c), section 1517(47)(c)(i) of this act, and section 13, chapter 3, Laws of 2021 may not exceed the federal amounts provided in section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

(d) \$671,375,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for allocations from funds attributable to subsection 2001(e)(2) the American rescue plan act of 2021, P.L. 117-2 for subgrants to local education agencies. Total subgrants awarded under this subsection (6)(d) and section 1517(47)(d) of this act may not exceed the federal amounts provided under subsection 2001(e)(2), the American rescue plan act of 2021, P.L. 117-2.

(e) \$123,373,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for allocations from funds attributable to subsection 2001(e)(1), the American rescue plan act of 2021, P.L. 117-2 for subgrants to local education agencies to address learning loss. Total subgrants awarded under this subsection (6)(e) and section 1517(47)(e) of this act may not exceed the federal amounts provided under subsection 2001(e)(1), the American rescue plan act of 2021, P.L. 117-2, and may not exceed the funding

authorized in section 1517(47)(e) of this act.

(f) \$10,335,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(3), the American rescue plan act of 2021, P.L. 117-2 is provided solely to support evidence-based comprehensive afterschool programs. Total funds provided under this subsection (6)(f) and section 1517(47)(g) of this act may not exceed the funding authorized in section 1517(47)(g) of this act.

(g) \$6,184,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to districts to expand the number of dual language classrooms in early grades and professional development to accelerate literacy gains in early grades, especially for English learners. Total funds provided under this subsection (6)(g) and section 1517(47)(h) of this act may not exceed the funding authorized in section 1517(47)(h) of this act.

(h)(i) \$8,428,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2, is provided solely for the purposes of identifying children and youth experiencing homelessness and providing children and youth experiencing homelessness with:

(A) Wrap-around services due to the challenges of the COVID-19 public health emergency; and

(B) Assistance needed to enable children and youth experiencing homelessness to attend school and participate fully in school activities.

(ii) Total funds provided under this subsection (6)(h) and section 1517(47)(n) of this act may not exceed the federal amounts provided in subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2.

(i) \$65,610,000 of the elementary and secondary school emergency relief III account—federal appropriation is provided solely for the office of the superintendent of public instruction to administer grants for the purposes of learning recovery and acceleration. Allowable uses of the funds are limited to:

(i) One-time contracts for classified, certificated, or administrative staff who will provide tiered academic and social-emotional supports to students most impacted by the disruption of in-person learning, including locating and reengaging students who have disengaged from school, one-on-one and small-group instruction, and other intensive learning supports;

(ii) Professional learning for educators focused on learning recovery and acceleration, including assessing student learning and social-emotional needs, transitioning to standards-based curricula and grading, adopting competency or mastery-based options specifically for credit retrieval purposes, and family and student engagement strategies;

(iii) Procuring assessment or data systems that provide actionable just-in-time data regarding student progress throughout the school year; and

(iv) Direct supports to students to improve school engagement and accelerate learning.

(j) \$995,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(b), the American rescue plan act of 2021, P.L. 117-2, is provided solely for the office of the superintendent of public instruction to contract with the Washington school principals' education foundation to support pandemic related learning loss through outdoor learning and overnight camp experiences.

(k) \$173,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds

attributable to subsection 2001(f)(2), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants to entities or organizations to provide outdoor education summer enrichment programs to youth. Recipients must prioritize activities or programs that:

- (i) Promote students connecting socially with their classmates;
- (ii) Encourage students to engage in physical activity; and
- (iii) Support families who have struggled with child care needs.

(l) \$143,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2 is provided solely for grants for supplies, equipment, staffing, and services to increase access to summer meals and safe school meals in the 2023-24 school year and summer prior to the start of the school year.

(m) \$2,383,000 of the elementary and secondary school emergency relief III account—federal appropriation from funds attributable to subsection 2001(f)(4), the American rescue plan act of 2021, P.L. 117-2, is provided solely for grants to school districts to expand career and technical education graduation pathway options, including career-connected learning opportunities. Total funds provided under this subsection (6)(m) and section 1517(47)(i) of this act for the same purpose may not exceed the funding authorized in section 1517(47)(i) of this act.

(n) \$1,354,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for reimbursements to eligible nonpublic schools that requested but were not reimbursed for emergency assistance to nonpublic schools, under section 312(d), the coronavirus response and relief supplemental appropriations act, P.L. 116-260, division M.

Sec. 523. 2023 c 475 s 523 (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITION TO KINDERGARTEN PROGRAMS

General Fund—State Appropriation (FY 2024) ((\$5,172,000))	\$6,870,000
General Fund—State Appropriation (FY 2025)	..... ((\$67,008,000))
	\$69,959,000
General Fund—Federal Appropriation.....	\$41,848,000
TOTAL APPROPRIATION	((\$114,028,000))
	\$118,677,000

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

~~(\$5,172,000)~~ (1) \$6,870,000 of the general fund—state appropriation for fiscal year 2024, ~~(\$67,008,000)~~ \$69,959,000 of the general fund—state appropriation for fiscal year 2025, and \$41,848,000 of the general fund—federal appropriation (CRRSA/GEER) are for implementation of Second Substitute House Bill No. 1550 (transition to kindergarten). If the bill is not enacted by June 30, 2023, the office of the superintendent of public instruction must distribute the amounts appropriated in this section for enrollment funding for transitional kindergarten programs to participating school districts, charter schools authorized pursuant to RCW 28A.710.080(2), and state-tribal education compact schools during the 2023-24 and 2024-25 school years. Enrollment funding for transitional kindergarten is not part of the state's statutory program of basic education.

(2) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staff and administrative costs necessary to provide interdepartmental coordination and engagement with stakeholders with respect to the program authorized in chapter 420, Laws of 2023 (transition to kindergarten).

**PART VI
HIGHER EDUCATION**

Sec. 601. 2023 c 475 s 605 (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES

General Fund—State Appropriation (FY 2024)	
.....	(\$918,693,000)
	<u>\$920,130,000</u>
General Fund—State Appropriation (FY 2025)	
.....	(\$984,293,000)
	<u>\$988,064,000</u>
<u>Climate Commitment Account—State Appropriation</u>	<u>\$475,000</u>
Community/Technical College Capital Projects Account—State Appropriation	\$21,368,000
Education Legacy Trust Account—State Appropriation	(\$164,067,000)
	<u>\$164,063,000</u>
<u>Invest in Washington Account—State Appropriation..</u>	<u>\$92,000</u>
Workforce Education Investment Account—State Appropriation.....	(\$300,417,000)
	<u>\$304,251,000</u>
TOTAL APPROPRIATION.....	(\$2,388,838,000)
	<u>\$2,398,443,000</u>

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

- (1) \$33,261,000 of the general fund—state appropriation for fiscal year 2024 and \$33,261,000 of the general fund—state appropriation for fiscal year 2025 are provided solely as special funds for training and related support services, including financial aid, as specified in RCW 28C.04.390. Funding is provided to support at least 7,170 full-time equivalent students in fiscal year 2024 and at least 7,170 full-time equivalent students in fiscal year 2025.
- (2) \$5,000,000 of the general fund—state appropriation for fiscal year 2024, \$5,000,000 of the general fund—state appropriation for fiscal year 2025, and \$5,450,000 of the education legacy trust account—state appropriation are provided solely for administration and customized training contracts through the job skills program. The state board shall make an annual report by January 1st of each year to the governor and to the appropriate policy and fiscal committees of the legislature under RCW 43.01.036 regarding implementation of this section, listing the scope of grant awards, the distribution of funds by educational sector and region of the state, and the results of the partnerships supported by these funds.
- (3) \$425,000 of the general fund—state appropriation for fiscal year 2024 and \$425,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Seattle Central College's expansion of allied health programs.
- (4) \$5,250,000 of the general fund—state appropriation for fiscal year 2024 and \$5,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the student achievement initiative.
- (5) \$1,610,000 of the general fund—state appropriation for fiscal year 2024, \$1,610,000 of the general fund—state appropriation for fiscal year 2025, and \$904,000 of the workforce education investment account—state appropriation are provided solely for the mathematics, engineering, and science achievement program.
- (6) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operating a fabrication composite wing incumbent worker training program to be housed at the Washington aerospace

- training and research center.
- (7) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the aerospace center of excellence currently hosted by Everett community college to:
 - (a) Increase statewide communications and outreach between industry sectors, industry organizations, businesses, K-12 schools, colleges, and universities;
 - (b) Enhance information technology to increase business and student accessibility and use of the center's web site; and
 - (c) Act as the information entry point for prospective students and job seekers regarding education, training, and employment in the industry.
- (8) ~~(\$23,748,000)~~ \$24,001,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$24,270,000)~~ \$24,601,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.
- (9) Community and technical colleges are not required to send mass mailings of course catalogs to residents of their districts. Community and technical colleges shall consider lower cost alternatives, such as mailing postcards or brochures that direct individuals to online information and other ways of acquiring print catalogs.
- (10) The state board for community and technical colleges shall not use funds appropriated in this section to support intercollegiate athletics programs.
- (11) \$157,000 of the general fund—state appropriation for fiscal year 2024 and \$157,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Wenatchee Valley college wildfire prevention program.
- (12) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Puget Sound welcome back center at Highline College to create a grant program for internationally trained individuals seeking employment in the behavioral health field in Washington state.
- (13) \$750,000 of the general fund—state appropriation for fiscal year 2024 and \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increased enrollments in the integrated basic education and skills training program. Funding will support approximately 120 additional full-time equivalent enrollments annually.
- (14) \$216,000 of the general fund—state appropriation for fiscal year 2024 and \$216,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the opportunity center for employment and education at North Seattle College.
- (15) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Highline College to implement the Federal Way higher education initiative in partnership with the city of Federal Way and the University of Washington Tacoma campus.
- (16) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$350,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Peninsula College to maintain the annual cohorts of the specified programs as follows:
 - (a) Medical assisting, 40 students;
 - (b) Nursing assistant, 60 students; and
 - (c) Registered nursing, 32 students.
- (17) \$338,000 of the general fund—state appropriation for fiscal year 2024 and \$338,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the

Washington state labor education and research center at South Seattle College.

(18) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the aerospace and advanced manufacturing center of excellence hosted by Everett Community College to develop a semiconductor and electronics manufacturing branch in Vancouver.

(19)(a) \$80,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a pilot program to help students, including those enrolled in state registered apprenticeship programs, connect with health care coverage. The state board for community and technical colleges must provide resources for up to two community or technical colleges, one on the east side and one on the west side of the Cascade mountains, to hire or train an employee to:

(i) Provide information to students and college staff about available health insurance options;

(ii) Develop culturally relevant materials and conduct outreach for historically marginalized and underserved student populations to assist these populations in their knowledge of access to low cost or free health insurance plans;

(iii) Provide ongoing technical assistance to students about health insurance options or the health insurance application process; and

(iv) Provide technical assistance to students as a health benefit exchange certified assister, to help students understand, shop, apply, and enroll in health insurance through Washington health planfinder.

(b) Participation in the exchange assister program is contingent on fulfilling applicable contracting, security, and other program requirements.

(c) The state board, in collaboration with the student achievement council and the health benefit exchange, must submit a report by June 30, 2024, to the appropriate committees of the legislature, pursuant to RCW 43.01.036, on information about barriers students, including those enrolled in state registered apprenticeship programs, encountered accessing health insurance coverage; and to provide recommendations on how to improve student access to health coverage based on data gathered from the pilot program.

(20) \$1,500,000 of the general fund—state appropriation for fiscal year 2024, \$1,500,000 of the general fund—state appropriation for fiscal year 2025, and \$75,847,000 of the workforce education investment account—state appropriation are provided solely for statewide implementation of guided pathways at each of the state's community and technical colleges or similar programs designed to improve student success, including, but not limited to, academic program redesign, student advising, and other student supports.

(21) \$15,220,000 of the workforce education investment account—state appropriation is provided solely for college operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(22) \$15,220,000 of the workforce education investment account—state appropriation is provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(23) \$40,800,000 of the workforce education investment account—state appropriation is provided solely to continue to fund nurse educator salaries.

(24) \$40,000,000 of the workforce education investment

account—state appropriation is provided to continue to fund high-demand program faculty salaries, including but not limited to nurse educators, other health-related professions, information technology, computer science, and trades.

(25) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for the state board for community and technical colleges to maintain high-demand and career launch enrollments, as provided under RCW 28C.30.020. Within the amounts provided in this subsection (25):

(a) \$6,000,000 of the amounts in this subsection (25) are provided to maintain and grow career launch enrollments, as provided under RCW 28C.30.020. Up to three percent of this amount may be used for administration, technical assistance, and support for career launch programs within the community and technical colleges.

(b) \$2,000,000 of the amounts in this subsection (25) are provided to maintain enrollments in high demand programs. These programs include, but are not limited to, allied health, computer and information science, manufacturing, and other fields identified by the state board for community and technical colleges.

(c) The state board for community and technical colleges may transfer amounts between (a) and (b) of this subsection if either program does not have sufficient demand to spend the allocated funding. Any transfer must be approved by the state board for community and technical colleges and the office of financial management.

(26) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for the emergency assistance grant program in RCW 28B.50.295.

(27) \$1,119,000 of the general fund—state appropriation for fiscal year 2024, \$1,119,000 of the general fund—state appropriation for fiscal year 2025, and \$4,221,000 of the workforce education investment account—state appropriation are provided solely for implementation of diversity, equity, inclusion, and antiracism provisions in chapter 28B.10 RCW.

(28) \$20,473,000 of the workforce education investment account—state appropriation is provided solely for implementation of equity and access provisions in chapter 28B.50 RCW.

(29)(a) \$3,000,000 of the general fund—state appropriation for fiscal year 2024 and \$3,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to promote workforce development in trucking and trucking-related supply chain industries and the school bus driving industry by expanding the number of registered apprenticeships, preapprenticeships, and trucking related training programs; and providing support for registered apprenticeships or programs in trucking and trucking-related supply chain industries and the school bus driving industry.

(b) Grants awarded under this subsection may be used for:

(i) Equipment upgrades or new equipment purchases for training purposes;

(ii) New training spaces and locations to support capacity needs and expansion of training to veterans and veteran spouses, and underserved populations to include foster care and homeless transition populations and previously incarcerated persons;

(iii) Faculty curriculum development and instructor training for driving, repair, and service of technological advancements facing the industries;

(iv) Tuition assistance for commercial vehicle driver and related supply chain industry training, fees associated with driver testing, and other reasonable and necessary student support services, including child care costs; and

(v) Fees and other reasonable costs associated with commercial truck driving examiner training and certification.

(c) An entity is eligible to receive a grant if it is a nonprofit, nongovernmental, or institution of primary or higher education that provides training opportunities, including apprenticeships, preapprenticeships, preemployment training, commercial vehicle driver training and testing, or vocational training related to mechanical and support functions that support the trucking industry or the school bus driving industry; or incumbent worker training to prepare workers for the trucking and trucking-related supply chain industries or the school bus driving industry. Preference will be given to entities in compliance with government approved or accredited programs. Reporting requirements, as determined by the board, shall be required.

(d) The board may use up to five percent of funds for administration of grants.

(30) \$3,200,000 of the workforce education investment account—state appropriation is provided solely for costs associated with grants awarded in fiscal year 2023 for nursing programs to purchase or upgrade simulation laboratory equipment.

(31)(a) \$9,336,000 of the workforce education investment account—state appropriation is provided solely to expand cybersecurity academic enrollments by 500 FTE students.

(b) The state board for community and technical colleges must coordinate with the student achievement council as provided in ~~((section 612(10) of this act))~~ section 608(10) of this act to submit a progress report on the new or expanded cybersecurity academic programs, including the number of students enrolled.

(32) \$410,000 of the workforce education investment account—state appropriation is provided solely to establish a center for excellence in cybersecurity.

(33) \$2,068,000 of the general fund—state appropriation for fiscal year 2024 and \$2,068,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for legal services related to litigation by employees within the community and technical college system challenging the denial of retirement and sick leave benefits. The cases include *Wolf v. State and SBCTC*, *Rush v. State and SBCTC* (retirement), and *Rush v. State and SBCTC* (sick leave).

(34) \$4,000,000 of the general fund—state appropriation for fiscal year 2024 and \$4,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the opportunity grant program to provide health care workforce grants for students.

(35) \$2,720,000 of the general fund—state appropriation for fiscal year 2024 and \$2,720,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for each community and technical college to contract with a community-based organization to assist with financial aid access and support in communities.

(36) ~~(\$6,456,000)~~ \$7,456,000 of the workforce education investment account—state appropriation is provided solely for the expansion of existing programming to accommodate refugees and immigrants who have arrived in Washington state on or after July 1, 2021, ~~((and are eligible for federal refugee resettlement services,))~~ including those from Afghanistan and Ukraine.

(37)(a) \$2,160,000 of the general fund—state appropriation for fiscal year 2024, \$2,160,000 of the general fund—state appropriation for fiscal year 2025, and \$3,600,000 of the workforce education investment account—state appropriation are provided solely for nursing education, to increase the number of nursing slots by at least 400 new slots in the 2023-2025 fiscal biennium.

(b) The state board for community and technical colleges must coordinate with the student achievement council as provided in ~~((section 612(10) of this act))~~ section 608(10) of this act to submit

a progress report on the new or expanded nursing academic programs, including the number of students enrolled per program.

(38) \$200,000 of the workforce education investment account—state appropriation is provided solely for the Bellingham Technical College maritime apprenticeship program.

(39) \$2,100,000 of the workforce education investment account—state appropriation is provided solely for the Skagit Valley College dental therapy education program.

(40) \$855,000 of the workforce education investment account—state appropriation is provided solely for the Seattle Central College for partnership with the Seattle maritime academy. Seattle Central College must enter into a memorandum of agreement with Washington state ferries. Funding may not be expended until Seattle Central College certifies to the office of financial management that a memorandum of agreement with Washington state ferries has been executed. The memorandum of agreement must address:

(A) The shared use of training and other facilities and implementation of joint training opportunities where practicable;

(B) Development of a joint recruitment plan aimed at increasing enrollment of women and people of color, with specific strategies to recruit existing community and technical college students, maritime skills center students, high school students from maritime programs, foster care graduates, and former juvenile rehabilitation and adult incarcerated individuals; and

(C) Development of a training program and recruitment plan and a five-year operational plan.

(ii) The joint training program and recruitment plan and the five-year operational plan must be submitted to the appropriate policy and fiscal committees of the legislature by December 1, 2023.

(41) \$200,000 of the workforce education investment account—state appropriation is provided solely for the state board for community and technical colleges to work with interested parties, such as local law enforcement agencies, the department of corrections, representatives of county or city jail facilities, the Washington state patrol, Washington community and technical colleges, and other organizations and entities as appropriate to assess the recruitment and retention challenges for their agencies and develop recommendations to meet the workforce needs. These recommendations should focus on education and training programs that meet the needs of law enforcement and corrections agencies and must include an outreach strategy designed to inform and attract students in non-traditional program pathways. The assessment and recommendations shall be provided in a report to the governor and the appropriate committees of the legislature, pursuant to RCW 43.01.036, by October 1, 2024.

(42) \$12,000,000 of the workforce education investment account—state appropriation is provided solely to support the continued diversity, equity, and inclusion efforts of institutions.

(43) \$331,000 of the general fund—state appropriation for fiscal year 2024, \$331,000 of the general fund—state appropriation for fiscal year 2025, and \$1,360,000 of the workforce education investment account—state appropriation are provided solely for implementation of state registered apprenticeship provisions in chapter 28B.124 RCW.

(44) \$200,000 of the workforce education investment account—state appropriation is provided solely for the Everett Community College parent leadership training institute to recruit and train new course instructors to build additional capacity.

(45) \$19,850,000 of the general fund—state appropriation for fiscal year 2024 and \$35,024,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(46) \$243,000 of the general fund—state appropriation for fiscal year 2024, \$180,000 of the general fund—state appropriation for fiscal year 2025, and ~~(\$400,000)~~ \$500,000 of the workforce education investment account—state appropriation are provided solely for Renton Technical College. Of the amounts provided in this subsection:

(a) ~~(\$400,000)~~ \$500,000 of the workforce education investment account—state appropriation is for the college to award full tuition and fees to students who attend the college and graduated high school in the school district where the main campus is located. Eligible students must complete a free application for federal student aid or the Washington application for state financial aid. A report on the number of students utilizing the funding must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by January 15, 2024.

(b) \$243,000 of the general fund—state appropriation for fiscal year 2024 and \$180,000 of the general fund—state appropriation for fiscal year 2025 are for continuing outreach and participation in running start and adult education programs, including the program described in (a) of this subsection.

(47)(a) \$700,000 of the workforce education investment account—state appropriation is provided solely for the state board to administer a pilot program to increase career and technical education dual credit participation and credential attainment in professional technical programs. The state board, in collaboration with the office of the superintendent of public instruction, must select up to three community and technical colleges to participate in the pilot program during the 2023-24 and 2024-25 academic years. The three colleges must be located within the same educational service district and one must be located in a county with a population between 115,000 and 150,000. Colleges and school districts participating in the career and technical education dual credit grant program may utilize funding to cover the following expenses:

(i) Subsidized out-of-pocket costs to students and families for supplies, textbooks, materials, and credit transcription fees;

(ii) Outreach to prospective students and students who have completed career and technical education dual credit courses and are eligible to receive postsecondary credit to encourage participation and credit transcription;

(iii) Costs associated with staff or teacher time dedicated to curriculum alignment or the development of articulation agreements; and

(iv) Equipment and supplies for career and technical education dual credit courses required to meet postsecondary learning objectives.

(b) By December 10, 2024, the state board, in collaboration with the office of the superintendent of public instruction, must issue a preliminary report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, with findings and recommendations regarding the pilot program that may be scaled statewide. The final report is due by December 10, 2025. The state board must establish a stakeholder committee that is representative of students, faculty, staff, and agency representatives to inform this work. The report must include recommendations on the following topics:

(i) Course articulation and development of model articulation agreements;

(ii) Data collection and reporting;

(iii) Credit transcription and transfer;

(iv) Student advising and career guidance supports;

(v) Alignment of career and technical education dual credit programs with credential pathways and in-demand career fields;

(vi) Funding for industry-recognized credentials;

(vii) Identification of priority courses and programs; and

(viii) Evaluation of the statewide enrollment and data system,

and recommendations for improvements to or replacement of the system to reflect articulation agreement data, student data, and transcription information to support data validity, credit portability, and program improvement.

(48) \$500,000 of the workforce education investment account—state appropriation is provided solely for Olympic College to partner with regional high schools for college ~~((#))~~ at the high school courses on-site at one or more regional high schools.

(49) \$1,262,000 of the workforce education investment account—state appropriation is provided solely for the centers of excellence.

(50) ~~(\$5,236,000)~~ \$5,789,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(51) \$3,718,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(52) ~~(\$7,470,000)~~ \$5,429,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(53) \$882,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(54) Within the amounts appropriated in this section, the state board for community and technical colleges shall develop a plan that includes the cost to provide compensation to part-time and adjunct faculty that equals or exceeds 85 percent of the compensation provided to comparably qualified full-time and tenured faculty by the 2026-27 academic year. The plan must be submitted to the governor and the higher education committees of the legislature, in accordance with RCW 43.01.036, by July 1, 2024.

(55) \$598,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for moving costs.

(56) \$475,000 of the climate commitment account—state appropriation is provided solely for the continuation of curriculum development and program redesign to integrate climate justice and solutions-focused assignments and professional technical green workforce modules into community college curriculum across the state. Funds provided in this subsection may not be expended or obligated prior to January 1, 2025. If Initiative Measure No. 2117 is approved in the general election, this subsection is null and void upon the effective date of the measure.

(57) \$801,000 of the workforce education investment account—state appropriation is provided solely for community college staff to recruit, advise, and support early achievers scholars completing their early childhood qualifications. The state board shall prioritize colleges with longer wait lists for early achievers scholars. The state board for community and technical colleges shall collaborate with the department of children, youth, and families to submit a report, pursuant to RCW 43.01.036, by September 30, 2024, to the governor and appropriate committees of the legislature on early achievers grant participation data, including data on enrollment and waitlists for the grant program.

(58) \$85,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Edmonds College to provide

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support to students who are military veterans, focusing on counseling services, financial assistance and reentry services.

(59) \$204,000 of the workforce education investment account—state appropriation is provided solely for Olympic College to hire program directors for new health care pathways.

(60) \$275,000 of the workforce education investment account—state appropriation is provided solely for a study of low-income student housing opportunities on community and technical college campuses to help address the housing shortage. The study shall include an analysis of the rental housing market serving each college campus; each college's need for low-income student housing; the estimated capital and ongoing costs to operate and maintain low-income student housing; and the impact on the local market rental housing supply should new low-income housing be constructed on a community or technical college campus for students. The study shall be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

(61) \$200,000 of the workforce education investment account—state appropriation is provided solely for increasing access and capacity to manufacturing apprenticeship related supplemental instruction.

(62) \$150,000 of the workforce education investment account—state appropriation is provided solely for expansion of the imaging science program at Tacoma Community College.

(63) \$1,140,000 of the workforce education investment account—state appropriation is provided solely for the increase in bachelor of science computer science programs.

(64) \$257,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the creation of a hospitality center of excellence hosted at Columbia basin college.

(65) \$25,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to the state board for community and technical colleges to collaborate with a nonprofit, professional association of state, county, city, and town officials engaged in development, enforcement, and administration of building construction codes and ordinances to design and implement training programs to accelerate the hiring of city and county permit technicians.

(66) \$425,000 of the workforce education investment account—state appropriation is provided solely to expand the student aid outreach and completion initiative pilot program in RCW 28B.50.940 to participating community and technical colleges located within capital region educational service district 113.

(67) \$1,053,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (SSB 5048).

(68) \$12,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Senate Bill No. 6296 (retail industry work group). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(69) \$412,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(70) \$11,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for Second Substitute House Bill No. 2084 (construction training/DOC). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(71) \$819,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of

Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 602. 2023 c 475 s 606 (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON

General Fund—State Appropriation (FY 2024)	((\$521,181,000))
	\$523,357,000
General Fund—State Appropriation (FY 2025)	((\$453,529,000))
	\$541,066,000
Aquatic Lands Enhancement Account—State	
Appropriation	\$1,646,000
Climate Commitment Account—State Appropriation	((\$3,150,000))
	\$3,413,000
Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation	\$20,000,000
Model Toxics Control Operating Account—State	
Appropriation	\$500,000
Natural Climate Solutions Account—State	
Appropriation	((\$837,000))
	\$836,000
Opioid Abatement Settlement Account—State	
Appropriation	\$250,000
Statewide 988 Behavioral Health Crisis Response Line	
Account—State Appropriation	\$280,000
University of Washington Building Account—State	
Appropriation	\$1,546,000
Education Legacy Trust Account—State Appropriation	\$39,643,000
Economic Development Strategic Reserve Account—State	
Appropriation	\$3,127,000
Biotoxin Account—State Appropriation	\$632,000
Dedicated Cannabis Account—State Appropriation	
(FY 2024)	\$351,000
Dedicated Cannabis Account—State Appropriation	
(FY 2025)	((\$365,000))
	\$366,000
Accident Account—State Appropriation	((\$8,586,000))
	\$8,585,000
Medical Aid Account—State Appropriation	((\$8,025,000))
	\$8,024,000
Workforce Education Investment Account—State	
Appropriation	((\$89,216,000))
	\$91,196,000
Geoduck Aquaculture Research Account—State	
Appropriation	\$414,000
TOTAL APPROPRIATION	((\$1,152,528,000))
	\$1,245,232,000

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

(1) ((~~\$49,289,000~~)) \$49,816,000 of the general fund—state appropriation for fiscal year 2024 and ((~~\$50,374,000~~)) \$51,061,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) \$200,000 of the general fund—state appropriation for fiscal year 2024, \$200,000 of the general fund—state appropriation for fiscal year 2025, and \$100,000 of the workforce education investment account—state appropriation are provided solely for ((labor archives of Washington. The university shall work in collaboration with the state board for community and technical colleges)) one head archivist for the labor archives of Washington

and reserved solely for labor archives activities, staffing, supplies, and equipment. The head will determine budget priorities and oversee expenditures on the budget. Budget funds will be reserved solely for the labor archives and shall not be used to supplant or supplement other activities of the University of Washington libraries unrelated to the collections and activities of the labor archives. The university and the head shall work in collaboration with the friends of the labor archives community advisory board.

(3) \$10,000,000 of the education legacy trust account—state appropriation is provided solely for the family medicine residency network at the university to maintain and expand the number of residency slots available in Washington.

(4) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(5) \$14,000,000 of the education legacy trust account—state appropriation is provided solely for the expansion of degrees in the department of computer science and engineering at the Seattle campus.

(6) \$3,062,000 of the economic development strategic reserve account—state appropriation is provided solely to support the joint center for aerospace innovation technology.

(7) The University of Washington shall not use funds appropriated in this section to support intercollegiate athletics programs.

(8) \$7,345,000 of the general fund—state appropriation for fiscal year 2024 and \$7,345,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continued operations and expansion of the Washington, Wyoming, Alaska, Montana, Idaho medical school program.

(9) \$2,625,000 of the general fund—state appropriation for fiscal year 2024 and \$2,625,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the institute for stem cell and regenerative medicine. Funds appropriated in this subsection must be dedicated to research utilizing pluripotent stem cells and related research methods.

(10) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided to the University of Washington to support youth and young adults experiencing homelessness in the university district of Seattle. Funding is provided for the university to work with community service providers and university colleges and departments to plan for and implement a comprehensive one-stop center with navigation services for homeless youth; the university may contract with the department of commerce to expand services that serve homeless youth in the university district.

(11) \$1,200,000 of the general fund—state appropriation for fiscal year 2024, \$1,200,000 of the general fund—state appropriation for fiscal year 2025, and \$1,200,000 of the workforce education investment account—state appropriation are provided solely for the adult psychiatry residency program at the University of Washington to offer additional residency positions that are approved by the accreditation council for graduate medical education.

(12) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the University of Washington's psychiatry integrated care training

program.

(13) \$427,000 of the general fund—state appropriation for fiscal year 2024, \$427,000 of the general fund—state appropriation for fiscal year 2025, and \$426,000 of the workforce education investment account—state appropriation are provided solely for child and adolescent psychiatry residency positions that are approved by the accreditation council for graduate medical education, as provided in RCW 28B.20.445.

(14) \$1,000,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the University of Washington School of Dentistry to support its role as a major oral health provider to individuals covered by medicaid and the uninsured.

(15) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the pre-law pipeline and social justice program at the University of Washington-Tacoma.

(16) \$226,000 of the general fund—state appropriation for fiscal year 2024 and \$226,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university's neurology department to create a telemedicine program to disseminate dementia care best practices to primary care practitioners using the project ECHO model. The program shall provide a virtual connection for providers and content experts and include didactics, case conferences, and an emphasis on practice transformation and systems-level issues that affect care delivery. The initial users of this program shall include referral sources in health care systems and clinics, such as the university's neighborhood clinics and Virginia Mason Memorial in Yakima with a goal of adding 15 to 20 providers from smaller clinics and practices per year.

(17) \$102,000 of the general fund—state appropriation for fiscal year 2024, \$102,000 of the general fund—state appropriation for fiscal year 2025, and \$350,000 of the workforce education investment account—state appropriation are provided solely for the university's center for international trade in forest products.

(18) \$500,000 of the general fund—state appropriation for fiscal year 2024, \$500,000 of the general fund—state appropriation for fiscal year 2025, and \$500,000 of the workforce education investment account—state appropriation are provided solely for the Latino center for health.

(19) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a firearm policy research program. The program will:

(a) Support investigations of firearm death and injury risk factors;

(b) Evaluate the effectiveness of state firearm laws and policies;

(c) Assess the consequences of firearm violence; and

(d) Develop strategies to reduce the toll of firearm violence to citizens of the state.

(20) \$400,000 of the general fund—state appropriation for fiscal year 2024 and \$400,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the climate impacts group in the college of the environment.

(21) \$300,000 of the general fund—state appropriation for fiscal year 2024 and \$300,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the college of education to collaborate with teacher preparation programs and the office of the superintendent of public instruction to develop open access climate science educational curriculum for use in teacher preparation programs.

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(22) \$300,000 of the general fund—state appropriation for fiscal year 2024, \$300,000 of the general fund—state appropriation for fiscal year 2025, and \$300,000 of the workforce education investment account—state appropriation are provided solely for the Harry Bridges center for labor studies. The center shall work in collaboration with the state board for community and technical colleges.

(23) \$8,000,000 of the workforce education investment account—state appropriation is provided solely for employee compensation, academic program enhancements, student support services, and other institutional priorities that maintain a quality academic experience for Washington students.

(24) \$8,000,000 of the workforce education investment account—state appropriation is provided solely to maintain degree production in the college of engineering at the Seattle campus.

(25)(a) \$2,724,000 of the workforce education investment account—state appropriation is provided solely to maintain the Washington state academic redshirt program on the Seattle campus and establish a program on the Bothell campus.

(b) The university must provide a report on the redshirt program at the Seattle and Bothell campuses, including, but not limited to, the following:

(i) The number of students who have enrolled in the program and the number of students by cohort;

(ii) The number of students who have completed the program and the number of students by cohort;

(iii) The placements of students by academic major;

(iv) The number of students placed in first-choice majors;

(v) The number of underrepresented minority students in the program;

(vi) The number of first-generation college students in the program;

(vii) The number of Washington college grant eligible or Pell grant eligible students in the program;

(viii) The number of Washington state opportunity scholarship recipients in the program;

(ix) The number of students who completed the program and graduated with a science, technology, engineering, or math related degree and the number of graduates by cohort; and

(x) Other program outcomes.

(c) A preliminary report is due to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2023, and a final report is due December 1, 2024.

(26) \$2,700,000 of the workforce education investment account—state appropriation is provided solely to maintain degree capacity and undergraduate enrollments in engineering, mathematics, and science programs to support the biomedical innovation partnership zone at the Bothell campus.

(27) \$3,268,000 of the workforce education investment account—state appropriation is provided solely to maintain bachelor of science programs in mechanical and civil engineering to support increased student and local employer demand for graduates in these fields at the Tacoma campus.

(28) \$150,000 of the general fund—state appropriation for fiscal year 2024, \$150,000 of the general fund—state appropriation for fiscal year 2025, and \$700,000 of the workforce education investment account—state appropriation are provided solely for Washington mathematics, engineering, science achievement programs to provide enrichment opportunities in mathematics, engineering, science, and technology to students who are traditionally underrepresented in these programs. Of the amounts provided in this subsection, \$500,000 of the workforce education investment account—state appropriation is for Washington State University to plan and implement expansion of

MESA activities at the Everett campus to facilitate increased attendance and degree completion by students who are underrepresented in science, technology, engineering, and mathematics degrees.

(29) \$75,000 of the general fund—state appropriation for fiscal year 2024 and \$75,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a community care coordinator for transitional-age youth for the doorway project in partnership with the Seattle campus.

(30) \$14,000,000 of the workforce education investment account—state appropriation is provided solely for the expansion of the Paul G. Allen school of computer science and engineering in order to award an additional 200 degrees per year focusing on traditionally underrepresented students. A report on the program graduation rates, waitlist for entry into the program, time to degree completion, and degrees awarded must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2024, and June 30, 2025.

(31) \$200,000 of the general fund—state appropriation for fiscal year 2024 and \$200,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to expand a series of online courses related to behavioral health and student well-being that are currently offered at the Bothell campus for school district staff. The standards for the courses must be consistent with knowledge, skill, and performance standards related to mental health and well-being of public school students. The online courses must provide:

(a) Foundational knowledge in behavioral health, mental health, and mental illness;

(b) Information on how to assess, intervene upon, and refer behavioral health and intersection of behavioral health and substance use issues; and

(c) Approaches to promote health and positively influence student health behaviors.

(32) To ensure transparency and accountability, in the 2023-2025 fiscal biennium the University of Washington shall comply with any and all financial and accountability audits by the Washington state auditor including any and all audits of university services offered to the general public, including those offered through any public-private partnership, business venture, affiliation, or joint venture with a public or private entity, except the government of the United States. The university shall comply with all state auditor requests for the university's financial and business information including the university's governance and financial participation in these public-private partnerships, business ventures, affiliations, or joint ventures with a public or private entity. In any instance in which the university declines to produce the information to the state auditor, the university will provide the state auditor a brief summary of the documents withheld and a citation of the legal or contractual provision that prevents disclosure. The summaries must be compiled into a report by the state auditor and provided on a quarterly basis to the legislature.

(33) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Burke museum of natural history and culture to make education programs offered by the museum accessible to more students across Washington, especially students in underserved schools and locations. The funding shall be used for:

(a) Increasing the number of students who participate in Burke education programs at reduced or no cost, including virtual programs;

(b) Providing bus reimbursement for students visiting the museum on field trips and to support travel to bring museum

programs across the state;

(c) Staff who will form partnerships with school districts to serve statewide communities more efficiently and equitably, including through the Burkemobile program; and

(d) Support of tribal consultation work, including expanding Native programming, and digitization of Native collections.

(34) \$410,000 of the general fund—state appropriation for fiscal year 2024 and \$410,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university's center for human rights. The appropriation must be used to supplement, not supplant, other funding sources for the center for human rights.

(35) \$143,000 of the general fund—state appropriation for fiscal year 2024 and \$143,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the establishment and operation of the state forensic anthropologist. The university shall work in conjunction with and provide the full funding directly to the King county medical examiner's office to support the statewide work of the state forensic anthropologist.

(36) \$64,000 of the general fund—state appropriation for fiscal year 2024 and \$64,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(37) \$443,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$443,000)~~) \$750,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the operation of the center for environmental forensic science.

(38) \$1,250,000 of the general fund—state appropriation for fiscal year 2024 and \$1,250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the community-engagement test to facilitate clean energy transitions by partnering with communities, utilities, and project developers.

(39) \$2,000,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for staffing and operational expenditures related to the battery fabrication testbed.

(40) \$505,000 of the general fund—state appropriation for fiscal year 2024 and \$505,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for pharmacy behavioral health. The University of Washington school of pharmacy/medicine pharmacy services will hire two residency training positions and one behavioral health faculty to create a residency program focused on behavioral health.

(41) \$1,242,000 of the general fund—state appropriation for fiscal year 2024, \$1,242,000 of the general fund—state appropriation for fiscal year 2025, and \$742,000 of the workforce education investment account—state appropriation are provided solely for an increase in the number of nursing slots and graduates in the already established accelerated bachelor of science in nursing program. Of the amounts provided in this subsection, \$273,000 of the general fund—state appropriation for fiscal year 2024 and \$273,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Tacoma school of nursing and healthcare leadership.

(42) \$100,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$100,000)~~) \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the memory and brain wellness center to support the statewide expansion of the dementia friends program.

(43) \$77,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$77,000)~~) \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to maintain

a data repository to assist the state and all political subdivisions with evaluating whether and to what extent existing laws and practices with respect to voting and elections are consistent with public policy, implementing best practices in voting and elections, and to investigate potential infringements upon the right to vote.

(a) The operation of the database shall be the responsibility of the director of the database, who shall be employed by the University of Washington with training and experience in demography, statistical analysis, and electoral systems. The director shall appoint necessary staff to implement and maintain the database.

(b) The database shall maintain in electronic format at least the following data and records, where available, for at least the previous 12-year period:

(i) Estimates of the total population, voting age population, and citizen voting age population by race, ethnicity, and language-minority groups, broken down to the election district and precinct level on a year-by-year basis for every political subdivision in the state, based on data from the United States census bureau, American community survey, or data of comparable quality collected by a public office;

(ii) Election results at the precinct level for every statewide election and every election in every political subdivision;

(iii) Regularly updated voter registration lists, voter history files, voting center locations, ballot drop box locations, and student engagement hub locations for every election in every political subdivision;

(iv) Contemporaneous maps, descriptions of boundaries, and shapefiles for election districts and precincts;

(v) The following records for every election in every political subdivision:

(A) Records of all voters issued a ballot and all voters who returned a ballot; and

(B) Records of all ballots with missing and mismatched signatures, including the date on which the voter was contacted or the notice was mailed, as well as the date on which the voter submitted updated information;

(vi) Apportionment plans for every election in every political subdivision; and

(vii) Any other data that the director deems advisable.

(c) Upon the certification of election results and the completion of the voter history file after each general election, the secretary of state shall transmit copies of the following to the director of the database:

(i) Election results at the precinct level, including information about rejected and cured ballots;

(ii) Voter history files;

(iii) Shapefiles for election districts; and

(iv) Lists of voting centers, ballot drop boxes, and student engagement hubs.

(d) The director and staff shall update election data in the database as soon as it is available from the office of the secretary of state, following certification of each election as required by RCW 29A.60.190 or 29A.60.250.

(e) Except for any data, information, or estimates that identify individual voters, the data, information, and estimates maintained by the database shall be posted online and made available to the public at no cost.

(f) The database shall prepare any estimates made pursuant to this section by applying scientifically rigorous and validated methodologies.

(g) On or before January 1, 2025, the database shall publish on its website and transmit to the state for dissemination to county auditors and the secretary of state a list of political subdivisions required, pursuant to section 203 of the federal voting rights act,

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52 U.S.C. Sec. 10503, to provide assistance to members of language-minority groups and each language in which those political subdivisions are required to provide assistance. Each county auditor shall transmit the list described in this subsection to all political subdivisions within their jurisdiction.

(h) The database will complete regular analysis of ballot rejections and cures, identifying population subgroups with higher than average ballot rejection rates. An annual report of ballot rejections will be posted online and made available to the public at no cost. Database staff may work with the secretary of state and county auditors to examine new practices and solutions for reducing ballot rejections and increasing ballot cure rates.

(i) Staff at the database may provide nonpartisan technical assistance to political subdivisions, scholars, and the general public seeking to use the resources of the database.

(44) \$122,000 of the general fund—state appropriation for fiscal year 2024 and \$122,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for sexual assault nurse examiner training.

~~(45) (\$143,000 of the general fund—state appropriation for fiscal year 2024 and \$143,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the operation of the state forensic anthropologist. The university shall work in conjunction with and provide the full funding directly to the King county medical examiner's office to support the statewide work of the state forensic anthropologist.)~~ \$2,505,000 of the workforce education investment account—state appropriation is provided solely for the expansion of the University of Washington school of dentistry regional initiatives in dental education (RIDE) program.

(46) Within existing resources, the institution must resume a mentoring, organization, and social support for autism inclusion on campus program. The program must focus on academic coaching, peer-mentoring, support for social interactions, and career preparation.

(47) \$6,532,000 of the general fund—state appropriation for fiscal year 2024 and \$11,108,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(48) \$712,000 of the general fund—state appropriation for fiscal year 2024 and \$4,183,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the behavioral health teaching faculty physician and facility support.

(49) \$1,869,000 of the general fund—state appropriation for fiscal year 2024 and \$3,738,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for operations and maintenance support of the behavioral health teaching faculty.

(50) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for the center for indigenous health to increase the number of American Indian and Alaska Native physicians practicing in the state of Washington.

(51) \$484,000 of the workforce education investment account—state appropriation is provided solely to the university for Friday harbor labs in the amount of \$125,000 each fiscal year and the school of aquatic and fishery sciences in the amount of \$117,000 each fiscal year to perform coordinating, monitoring, and research related to Puget Sound kelp conservation and recovery.

(52) \$200,000 of the workforce education investment account—state appropriation is provided solely to develop a framework for research to help determine inequities in poverty, access to service, language, barriers, and access to justice for individuals of Middle Eastern descent.

(53) \$3,000,000 of the climate commitment account—state

appropriation is provided solely for the development of an energy transformation strategy to modernize the energy infrastructure and better align the institution's sustainability values at the Seattle campus.

(54) \$2,854,000 of the workforce education investment account—state appropriation is provided solely for increasing enrollments in computing and engineering programs at the Tacoma campus.

(55)(a) \$800,000 of the workforce education investment account—state appropriation is provided solely for the colab for community and behavioral health policy to collaborate with ~~(the Latino center for health and)~~ allies in healthier systems for health and abundance in youth to pilot test a culturally responsive training curricula for an expanded children's mental health workforce in community behavioral health sites. Community and lived experience stakeholders, representing communities of color, must make up over half of the project team. The pilot implementation shall include expansion of:

(i) The clinical training of both a lived experience workforce and licensed workforce to provide culturally responsive and evidence-informed mental health services focused on families, children, and youth;

(ii) An implementation plan that allows for local flexibility and local community input; and

(iii) An evaluation plan that will yield information about the potential success in implementation statewide and the improved experiences of those seeking mental health services.

(b) The project team must report its findings and recommendations to the appropriate committees of the legislature in compliance with RCW 43.01.036 by June 30, 2025.

(56) \$520,000 of the natural climate solutions account—state appropriation is provided solely for the biological response to ocean acidification to advance high-priority biological experiments to better understand the relationship between marine organisms and ocean acidification.

(57) \$300,000 of the natural climate solutions account—state appropriation is provided solely for monitoring assistance at the Washington ocean acidification center.

(58) \$104,000 of the general fund—state appropriation for fiscal year 2024 and \$104,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the continued implementation of chapter 191, Laws of 2022 (veterans & military suicide).

(59) \$426,000 of the workforce education investment account—state appropriation is provided solely for the continued implementation of RCW 49.60.525 (racial restrictions/review).

(60) \$205,000 of the general fund—state appropriation for fiscal year 2024 is provided solely to organize and facilitate the difficult to discharge task force described in ~~(section 135(12) of this act)~~ section 133(11) of this act and its operations, including any associated ad hoc subgroups through October 31, 2023.

(61) \$500,000 of the workforce education investment account—state appropriation is provided solely for the addictions, drug and alcohol institute to continue cannabis and public health impact research. Funding may be used to develop resources regarding the connection between first episode psychosis and cannabis use.

(62) \$2,224,000 of the workforce education investment account—state appropriation is provided solely for program support and student scholarships for the expansion of the master of arts in applied child and adolescent psychology program. Of the amounts provided in this subsection:

(a) \$1,116,000 of the workforce education investment account—state appropriation is provided solely for program support at the Seattle site.

(b) \$1,108,000 of the workforce education investment account—state appropriation is provided solely for student scholarships at the Seattle site.

(63) \$800,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a program to support pathways from prison to the university's Tacoma campus. The university shall collaborate with formerly incarcerated women, Tacoma Community College, the freedom education project Puget Sound, the women's village, the state board for community and technical colleges, and the department of corrections, in development and implementation of the pathways program.

(64) ~~(\$250,000)~~ \$580,000 of the workforce education investment account—state appropriation is provided solely for the ~~(startup program)~~ Allen school scholars program.

(65) \$1,397,000 of the workforce education investment account—state appropriation is provided solely for increased student support services at the Tacoma campus.

(66) \$158,000 of the general fund—state appropriation for fiscal year 2024, \$158,000 of the general fund—state appropriation for fiscal year 2025, and \$798,000 of the workforce education investment account—state appropriation are provided solely for continued implementation of diversity, equity, inclusion, and antiracism professional development for faculty and staff, student training, and campus climate assessments in chapter 28B.10 RCW.

(67) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year ~~(2024)~~ 2025 are provided solely for the college of education to partner with the Chehalis and Spokane school districts to continue the math improvement pilot program.

(68) \$300,000 of the workforce education investment account—state appropriation is provided solely for support and promotion of a long-term care nursing residency program and externship.

(69) \$400,000 of the workforce education investment account—state appropriation is provided solely for nanocellulose based research to produce a replacement for cellophane and clear plastic products with one made with plant materials that is biodegradable.

(70) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$450,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the University of Washington for the operation of a pilot plant to produce nanocellulose based materials for evaluation by potential users, such as packaging manufacturers and companies that produce polylactic acid composites.

(71) \$1,238,000 of the workforce education investment account—state appropriation is provided solely to establish washpop, a statewide integrated data repository for population and policy research on topics, including criminal justice and safety, economic prosperity and equity, and health and social well-being.

(72) \$50,000 of the general fund—state appropriation for fiscal year 2024 and \$50,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for continuation of the collaborative for the advancement of telemedicine, hosted by the institution's telehealth services.

(73) \$100,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the center for health workforce studies to continue a program to track dental workforce trends, needs, and enhancements to better serve the increasing population and demand for access to adequate oral health care. The center shall continue the program in consultation with dental stakeholders including, but not limited to, provider associations and oral health philanthropic leaders. The workforce reporting

program is to be considered a public-private partnership. The institutions may accept matching funds from interested stakeholders to help facilitate and administer the workforce reporting program. Information generated by the dental workforce reporting program shall be made available on the center's website in a deidentified, aggregate format.

(74) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(75) The institution must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(76) ~~(\$440,000)~~ \$513,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(77) \$686,000 of the general fund—state appropriation for fiscal year 2024 and \$669,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(78) \$150,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1181 (climate change/planning). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(79) \$208,000 of the statewide 988 behavioral health crisis response account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1134 (988 system). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(80) ~~(\$3,288,000)~~ \$2,053,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(81) \$157,000 of the workforce education investment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5189 (behavioral health support). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(82) \$7,500,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for support of staff, training, and other costs necessary to facilitate the opening of the behavioral health teaching facility.

(83) \$450,000 of the workforce education investment account—state appropriation is provided solely to continue financial student assistance in public service oriented graduate and professional degree programs, referred to as "fee-based" programs, whose tuition for public service degrees is over \$18,000 per year. Programs shall create mechanisms to prioritize assistance to traditionally underrepresented students, specifically those who have expressed a commitment to service in the physician assistant, community oriented public health, or social work programs. The institution may offer financial assistance for students that volunteer or work with public health agencies, including as contact tracers.

(84) \$1,100,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a pilot program for short-term stabilization and transition support for

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individuals incompetent to stand trial due to intellectual or developmental disability as provided in Engrossed Second Substitute Senate Bill No. 5440 (competency evaluations). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(85) \$1,464,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5263 (psilocybin). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(86) ~~(\$2,000,000)~~ \$400,000 of the general fund—state appropriation for fiscal year 2025 and \$500,000 of the workforce education investment account—state appropriation ~~((is))~~ are provided solely for implementation of Engrossed Second Substitute House Bill No. 1715 (domestic violence). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(87) \$80,000,000 of the general fund—state appropriation for fiscal year 2024, \$60,000,000 of the general fund—state appropriation for fiscal year 2025, and \$20,000,000 of the coronavirus state fiscal recovery fund—federal appropriation are provided solely to support the operations and teaching mission of the University of Washington medical center and harborview medical center.

(88) \$239,000 of the workforce education investment account—state appropriation is provided solely for implementation of chapter 232, Laws of 2023 (Engrossed Substitute Senate Bill No. 5447) (alternative jet fuel).

(89) \$263,000 of the climate commitment account—state appropriation is provided solely for two grant writers to support the ongoing need for tribal and overburdened communities to access state and federal funding opportunities that advance environmental justice through the thriving communities technical assistance program. If Initiative Measure No. 2117 is approved in the 2024 general election, upon the effective date of the measure, funds from the consolidated climate account may not be used for the purposes in this subsection.

(90) \$20,000,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to support behavioral health care and training at the University of Washington medical center. A report detailing how these funds and any federal funds are expended for the medical center shall be submitted to the governor and the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

(91) \$300,000 of the workforce education investment account—state appropriation is provided solely for an entrepreneur in residence pilot program for graduate and postgraduate international students.

(92) \$180,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for soccer field renovation and associated lighting upgrades at the institution.

(93) \$250,000 of the workforce education investment account—state appropriation is provided solely for the Barnard center for infant and early childhood mental health, within the University of Washington, to identify existing infant and early childhood mental health workforce initiatives and activities. In consultation with the health care authority, the center must identify and provide stakeholder connections, including tribes, to assist with workforce strategic planning. A report of findings and recommendations for expansion, diversification, training, and retention within the infant early childhood mental health workforce must be submitted to the appropriate committees of the legislature and to the children and youth behavioral health work group as established in RCW 74.09.4951, pursuant to RCW 43.01.036 by June 30, 2025.

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(94) \$500,000 of the model toxics control operating account—state appropriation is provided solely for the school of public health to study and develop mobile screening methods to screen consumer products for fluorine, an indicator of per- and polyfluoralkyl chemicals. The developed method shall be compared to established approaches to measure fluorine and per- and polyfluoralkyl chemicals. A report on development of a functional screening method and recommendations to limit harmful exposures must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

(95) \$250,000 of the workforce education investment account—state appropriation is provided solely for the center for social sector analytics and technology to provide a report on conditional scholarships for students who commit to working in the public behavioral health system. The institution must submit a preliminary report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025. The preliminary report must include overall effectiveness of the conditional grant programs, how to improve clinical training, how to support underserved communities, and the progress in diversifying the public behavioral workforce.

(96)(a) \$120,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the school mental health assessment research and training (SMART) center to research and report on collection and use of data, including universal screening and other social-emotional, behavioral, and mental health (SEBMH) data, in public schools within the multitiered system of supports and integrated student supports frameworks.

(b) The SMART center must submit a preliminary report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2024. At a minimum, the preliminary report must:

(i) Analyze alignment of current Washington statute and guidance with national best practices on universal SEBMH screening;

(ii) Identify facilitators and barriers to selection and effective use of research-based, culturally relevant universal SEBMH screening tools in Washington schools;

(iii) Analyze schools' current application of existing Washington statute relevant to SEBMH screening requirements;

(iv) Recommend statutory changes to increase systematic SEBMH screening of students in schools; and

(v) Include an implementation plan for demonstration sites to determine the feasibility, acceptability, and effectiveness of a best practices guide or resource on universal student SEBMH screening.

(c) The SMART center must submit a final report to the relevant policy and fiscal committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025. In addition to information from the preliminary report, the final report must include a guide or other resource for implementing best practices for screening of student SEBMH in schools, including the following best practices:

(i) Training and professional development;

(ii) Engaging with families, students, and other partners;

(iii) Informing tier 1 universal strategies and practices;

(iv) Assuring adequate availability of services;

(v) Complying with privacy and confidentiality laws;

(vi) Assuring cultural responsiveness in SEBMH screening practices; and

(vii) Partnering with community-based organizations.

(97) \$140,000 of the workforce education investment

account—state appropriation is provided solely for the junior summer institute program to pilot a regional focused expansion that provides a pathway for historically underrepresented students into public policy and public service.

(98) \$174,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for genome sequencing and other research to improve control and eradication of the European green crab.

(99) \$615,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for legal services related to the behavioral health teaching facility.

(100) \$412,000 of the general fund—state appropriation for fiscal year 2025 is provided solely to develop and implement the Washington reproductive access alliance. The alliance shall provide a service coordination website and phone line, administrative support and coordination of the alliance, patient care coordination, and social support for patient travel.

(101) \$350,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the University of Washington to establish a pilot program to support activities related to cooperation with academic institutions and governmental and public agencies of the Republic of Finland, the Kingdom of Sweden, and the Kingdom of Norway. Eligible activities include, but are not limited to, cooperation in clean energy, clean technology, clean transportation, telecommunications, agriculture and wood science technology, general economic development, and other areas of mutual interest with Nordic nations and institutions.

(102) \$630,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

(103) \$250,000 of the opioid abatement settlement account—state appropriation is provided solely for the University of Washington center for novel therapeutics in addiction psychiatry for an initial study of ibogaine assisted therapy.

(104) \$535,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for coresponse curriculum development and certification and credential opportunities.

(105) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Evans school of public policy and governance to study ranked choice voting and provide guidance for implementation by local jurisdictions. The report must recommend steps necessary to implement ranked choice voting elections consistently and effectively, including suggested education materials and election administrator training necessary to aid in the implementation. Collaboration must include, but is not limited to the ranked choice voting resource center, state director of elections, association of county auditors, VoteWA steering committee, and community based organizations that serve underrepresented communities related to voter outreach and education. A report on research and recommendations must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 1, 2025.

(106) \$232,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(107) \$214,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the implementation of Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(108) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 5890 (ballot rejection). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(109) \$267,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 6125 (Lakeland village records). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(110) \$250,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Engrossed Substitute Senate Bill No. 6286 (nurse anesthetist workforce). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 603. 2023 c 475 s 607 (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY

General Fund—State Appropriation (FY 2024)	(\$277,544,000)
	\$282,829,000
General Fund—State Appropriation (FY 2025)	((\$286,975,000))
	\$293,782,000
Climate Commitment Account—State Appropriation	\$8,321,000
Washington State University Building Account—State Appropriation	\$792,000
Education Legacy Trust Account—State Appropriation	\$33,995,000
Model Toxics Control Operating Account—State Appropriation	\$2,771,000
Dedicated Cannabis Account—State Appropriation (FY 2024)	\$189,000
Dedicated Cannabis Account—State Appropriation (FY 2025)	\$197,000
Workforce Education Investment Account—State Appropriation	((\$48,117,000))
	\$49,032,000
TOTAL APPROPRIATION	(\$658,901,000)
	\$671,908,000

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

(1) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$90,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a rural economic development and outreach coordinator.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for state match requirements related to the federal aviation administration grant.

(4) Washington State University shall not use funds appropriated in this section to support intercollegiate athletic programs.

(5) \$7,000,000 of the general fund—state appropriation for fiscal year 2024, \$7,000,000 of the general fund—state appropriation for fiscal year 2025, and \$22,800,000 of the

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workforce education investment account—state appropriation are provided solely for the continued development and operations of a medical school program in Spokane.

(6) \$135,000 of the general fund—state appropriation for fiscal year 2024 and \$135,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a honey bee biology research position.

(7) (~~(\$35,037,000)~~) \$35,411,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$35,808,000)~~) \$36,296,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(8) \$580,000 of the general fund—state appropriation for fiscal year 2024 and \$580,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the development of an organic agriculture systems degree program located at the university center in Everett.

(9) \$630,000 of the general fund—state appropriation for fiscal year 2024 and \$630,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of an electrical engineering program located in Bremerton. At full implementation, the university is expected to increase degree production by 25 new bachelor's degrees per year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(10) \$1,370,000 of the general fund—state appropriation for fiscal year 2024 and \$1,370,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation of software engineering and data analytic programs at the university center in Everett. At full implementation, the university is expected to enroll 50 students per academic year. The university must identify these students separately when providing data to the education research data center as required in subsection (2) of this section.

(11) General fund—state appropriations in this section are reduced to reflect a reduction in state-supported tuition waivers for graduate students. When reducing tuition waivers, the university will not change its practices and procedures for providing eligible veterans with tuition waivers.

(12) \$1,154,000 of the general fund—state appropriation for fiscal year 2024 and \$1,154,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 82.16.120 and 82.16.165 (renewable energy, tax incentives).

(13) \$376,000 of the general fund—state appropriation for fiscal year 2024 and \$376,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 28B.30.357 (children's mental health).

(14) \$585,000 of the general fund—state appropriation for fiscal year 2024 and \$585,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for RCW 77.12.272 (elk hoof disease).

(15) \$2,076,000 of the model toxics control operating account—state appropriation is provided solely for the university's soil health initiative and its network of long-term agroecological research and extension (LTARE) sites. The network must include a Mount Vernon REC site.

(16) \$42,000 of the general fund—state appropriation for fiscal year 2024 and \$42,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(17) \$33,000 of the general fund—state appropriation for fiscal year 2024 and \$33,000 of the general fund—state appropriation

for fiscal year 2025 is provided solely for compensation funding for Western Washington University employees that work on the Washington State University Everett campus.

(18) \$327,000 of the general fund—state appropriation for fiscal year 2024 and \$327,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for pharmacy behavioral health. Washington State University college of pharmacy and pharmaceutical sciences will hire two residency training positions and one behavioral health faculty to create a residency program focused on behavioral health.

(19) \$1,921,000 of the general fund—state appropriation for fiscal year 2024 and \$3,526,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(20) \$608,000 of the general fund—state appropriation for fiscal year 2024 and \$608,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state academy of sciences to provide support for core operations and to accomplish its mission of providing science in the service of Washington, pursuant to its memorandum of understanding with the university.

(21) \$188,000 of the general fund—state appropriation for fiscal year 2024 and \$188,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for stormwater research to study the long-term efficacy of green stormwater infrastructure that incorporates compost to remove pollutants.

(22) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the joint center for deployment and research in earth abundant materials.

(23) \$4,112,000 of the workforce education investment account—state appropriation is provided solely to establish a bachelor's degree in cybersecurity operations.

(24) \$568,000 of the general fund—state appropriation for fiscal year 2024 and \$568,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of chapter 212, Laws of 2022 (community solar projects).

(25) \$7,721,000 of the climate commitment account—state appropriation is provided solely for the creation of the institute for northwest energy futures.

(26) \$3,910,000 of the workforce education investment account—state appropriation is provided solely for increasing nursing salaries at the institution.

(27) \$476,000 of the workforce education investment account—state appropriation is provided solely for nursing program equipment.

(28) \$2,521,000 of the workforce education investment account—state appropriation is provided solely for the establishment of a bachelor of science in public health degree at the Pullman, Spokane, and Vancouver campuses.

(29) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for increasing the base funding for the William D. Ruckleshaus Center.

(30) (~~(\$200,000)~~) \$50,000 of the general fund—state appropriation for fiscal year 2024 (~~(is)~~) and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for Washington State University extension service to hire a qualified contractor to assess program performance of the northeast Washington wolf-livestock management grant program as provided in RCW 16.76.020 and recipients of pass-through grants from the northeast Washington

wolf-livestock management nonappropriated account. The program must be assessed for the period of 2021-2023 as to whether grant recipients met the intent of the appropriation.

(a) For recipients of grant funds from the program authorized in RCW 16.76.020, performance must be evaluated on the deployment of nonlethal deterrence, specifically with the goal to reduce the likelihood of cattle being injured or killed by wolves by deploying proactive, preventative methods that have a good probability of producing effective results. Grantees who use funds for range riders or herd monitoring must deploy this tool in a manner so that targeted areas with cattle are visited daily or near daily. Grantees must collaborate with other entities providing prevention efforts resulting in coordinated wolf-livestock conflict deterrence efforts, both temporally and spatially, therefore providing well timed and placed preventative coverage on the landscape.

(b) For recipient of the pass-through funds from the northeast Washington wolf-livestock management nonappropriated account, performance must be based on the intent of conducting proactive deterrence activities with the goal to reduce the likelihood of cattle being injured or killed by wolves.

(c) The contractor must have at least five years of experience in the combination of field work as a range rider and running range riding programs in areas with wolf-livestock conflict in the western United States. In conducting the assessment, the contractor may access written range rider logs and georeferenced data produced by the grant recipients, in addition to reading annual reports of the recipients and interviewing relevant participants. The contractor may also provide general recommendations for improvement of programs intended to provide effective wolf-livestock deterrence, taking into account the terrain and other challenges faced in northeast Washington. The contractor must complete their assessment for Washington State University extension service to be delivered to the legislature, pursuant to RCW 43.01.036, by ~~((June 30, 2024))~~ December 1, 2024.

(31) \$500,000 of the workforce education investment account—state appropriation is provided solely for the energy program for residential energy code education and support, including training, hotline support to the building industry, and information material and web resources.

(32) \$695,000 of the model toxics control operating account—state appropriation is provided solely for turf grass resilience research in high traffic areas.

~~(33)((~~+~~)) \$95,000 of the general fund—state appropriation for fiscal year ~~((2025 is))~~ 2024 and \$215,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the William D. Ruckelshaus center to ~~((conduct a jail modernization task force convening assessment and design a facilitated collaborative process and work plan for))~~ support the jail modernization task force created in section 915 ~~((of this act)),~~ chapter 475, Laws of 2023.~~

(a) Of the amounts provided in this subsection, \$95,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for the center to conduct a jail modernization task force convening assessment and design a facilitated collaborative process and work plan for the jail modernization task force created in section 915, chapter 475, Laws of 2023.

(b) Of the amounts provided in this subsection, \$215,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the center to provide staff support, facilitation, and development of the task force's initial report of findings and recommendations described in section 915, chapter 475, Laws of 2023.

(c) The convening assessment shall include, but not be limited to:

(i) Gathering and reviewing additional background information relevant to the project;

(ii) Meeting and consulting with the Washington state association of counties to gather background on issues, confirm the list of members to interview, and provide updates throughout the duration of the work; and meeting and consulting with the Washington state institute for public policy to coordinate, inform, and share information and findings gathered; and

(iii) Setting up individual conversations with task force members, and others as needed, to assess their goals, expectations, interests, and desired outcomes for the task force. The purpose of these conversations will also be to gather insights and perspectives from members about, but not limited to, the following:

(A) What key components and issues should be included in a statewide jail modernization plan, what existing facilities are in need of upgrades or remodel, and any need for building new facilities;

(B) Identifying any additional key stakeholders;

(C) Employee retention issues and potential solutions;

(D) The impact of overtime, jail atmosphere, emergency response time, inexperienced corrections officers, and how to overcome these challenges;

(E) The type of and design of facilities needed to house those with behavioral health needs and associated costs of these facilities;

(F) Available diversion programs and their costs;

(G) Types of existing behavioral health facilities for those involved in the criminal justice system, the costs of building and running these facilities, how these facilities vary by location, the viability of offering facilities in every county, and potential system improvements to the types of services and supports offered and delivered to those with behavioral health needs;

(H) The types of services and supports provided to those exiting the jail system; and

(I) Reforms necessary to create and enhance a seamless transition back to the community following jail confinement.

~~((~~+~~))~~ (d) Center staff will provide a convening assessment report that will include the overall process design and work plan for the task force by June 30, ~~((2025))~~ 2024.

(34) \$1,596,000 of the workforce education investment account—state appropriation is provided solely for the creation of a bachelor's and master's degree in social work at the Tri-Cities campus.

(35) The institution must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(36) ~~((~~\$372,000~~))~~ \$434,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(37) \$77,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(38) \$600,000 of the climate commitment account—state appropriation is provided solely for implementation of Engrossed Second Substitute House Bill No. 1216 (clean energy siting), for a least-conflict pumped storage siting project. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(39) \$125,000 of the workforce education investment account—state appropriation is provided solely for

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implementation of Senate Bill No. 5287 (wind turbine blades). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(40)(a) ~~((\$1,200,000))~~ \$1,700,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a Native American scholarship program during the 2023-2025 biennium. Of the amounts in this subsection, no more than \$100,000 of the workforce education investment account—state appropriation for fiscal year 2024 and \$100,000 of the workforce education investment account—state appropriation for fiscal year 2025 may be spent on administration; development of the program; support services for students; outreach regarding the program; and technical support for application.

(b) "Eligible student" means a member of a federally recognized Indian tribe located within Washington who files a free application for federal student aid (FAFSA) and enrolls in an undergraduate degree program. Eligible students need to maintain satisfactory academic progress during the 2023-2025 biennium to remain eligible for the scholarship. The institution shall determine award priorities based on tribal consultation. Awards must be distributed to students no later than May of each fiscal year.

(c) The institution must submit a report to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025. The report must include: The number of eligible students; the number of students who receive a scholarship; how recipients were determined; and how many members of federally recognized Indian tribes in Washington received scholarships versus members of federally recognized Indian tribes from other states.

(41) \$44,000 of the general fund—state appropriation for fiscal year 2024 and \$49,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1745 (diversity in clinical trials). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(42) \$2,425,000 of the workforce education investment account—state appropriation is provided solely for the development and operations of a journalism fellowship program focused on civic affairs.

(43) \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Engrossed Substitute Senate Bill No. 5447 (alternative jet fuel). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(44) \$4,271,000 of the general fund—state appropriation for fiscal year 2024 and \$2,573,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the institution to purchase the obligated amount of carbon allowances.

(45) \$190,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for continued funding of the statewide broadband coordinator within the Washington State University extension program. This funding will support the salary and benefits of this position.

(46) \$353,000 of the workforce education investment account—state appropriation is provided solely for the complex social interactions lab.

(47) \$298,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the William D. Ruckelshaus center, working in collaboration with the departments of health and ecology, to evaluate and recommend actions to increase the effectiveness of the state's municipal water conservation statute at RCW 70A.125.170 and regulation at

chapter 246-290 WAC. The center may contract with consultants or organizations with expertise on municipal water conservation programs. Recommendations may be informed by best practices in other states and include: Statutory or regulatory changes to increase program effectiveness, modifying regulatory oversight including whether the responsibility for parts or all of the program should be moved from the department of health to the department of ecology, improving coordination between the departments, identifying sufficient funding to effectively implement the program, including creation of a grant or loan program to assist municipal water systems in program implementation, or other ideas on municipal water use conservation and efficiency strategies.

(a) The center shall invite participation from federally recognized Indian tribes, municipal water systems and organizations, and relevant stakeholders in this evaluation.

(b) The center shall submit a report to the governor and the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025, on work conducted within this subsection and must include:

(i) Recommendation for a long-term strategy for program implementation; and

(ii) Estimated costs of ongoing expenses for program implementation, including any costs associated with changes in regulatory oversight of program elements or implementation.

(48)(a) \$135,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a study to investigate housing market conditions in tourism-dependent municipalities. The study must:

(i) Examine state and local government policies nationwide that address and support affordable and workforce housing projects and programs in tourism-dependent communities;

(ii) Examine how the increase in area median incomes correlates with the rise in housing costs statewide and whether the allocation of state housing program funds has been equitable and proportional throughout all regions in the state, placing specific emphasis on understanding the disparity between urban and rural counties;

(iii) Examine state policies and regulations that have influenced the cost of housing with a specific emphasis on rural counties;

(iv) Identify various strategies deployed to enhance the flexibility of local government revenue; and

(v) Identify outcomes of strategies deployed to enhance revenue streams to support workforce housing initiatives.

(b) The study must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 31, 2024.

(49) \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,000,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one-time compensation support.

(50) \$232,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 604. 2023 c 475 s 608 (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY

General Fund—State Appropriation (FY 2024)	
.....	((<u>\$65,367,000</u>))
	<u>\$65,664,000</u>
General Fund—State Appropriation (FY 2025)	
.....	((<u>\$67,576,000</u>))
	<u>\$68,260,000</u>

Education Legacy Trust Account—State Appropriation	\$16,838,000
Workforce Education Investment Account—State Appropriation	(\$24,730,000)
	<u>\$24,909,000</u>
TOTAL APPROPRIATION	(\$174,511,000)
	<u>\$175,671,000</u>

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

(1) At least \$350,000 of the general fund—state appropriation for fiscal year 2024 and at least \$350,000 of the general fund—state appropriation for fiscal year 2025 must be expended on the Northwest autism center.

(2) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(3) Eastern Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(4) ~~(\$12,586,000)~~ \$12,720,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$12,862,000)~~ \$13,038,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(5) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(6) \$2,274,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(7) \$2,636,000 of the workforce education investment account—state appropriation is provided solely to maintain a computer engineering degree program in the college of science, technology, engineering, and math.

(8) \$45,000 of the general fund—state appropriation for fiscal year 2024 and \$45,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(9) \$300,000 of the workforce education investment account—state appropriation is provided solely to establish a center for inclusive excellence for faculty and staff.

(10) \$536,000 of the workforce education investment account—state appropriation is provided solely for a professional masters of science cyber operations degree option.

(11) \$2,144,000 of the workforce education investment account—state appropriation is provided solely for the operation of a bachelor of science in cybersecurity degree option through the computer science program.

(12) \$2,108,000 of the workforce education investment account—state appropriation is provided solely for the operation of a coordinated care network that will help to maximize the collaboration of various student support services to create wraparound care for students to address obstacles to degree completion. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the

program.

(13) \$532,000 of the general fund—state appropriation for fiscal year 2024 and \$940,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(14) \$4,598,000 of the workforce education investment account—state appropriation is provided solely to expand faculty and staff to create a cohort of 80 students in the bachelor of nursing program.

(15) \$476,000 of the workforce education investment account—state appropriation is provided solely for the continued implementation of RCW 49.60.525 (racial restrictions/review).

(16) \$110,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a summer bridge program.

(17) ~~(\$500,000)~~ \$1,020,000 of the workforce education investment account—state appropriation is provided solely for the establishment and operating support of a university mathematics, engineering, and science achievement program.

(18) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(19) ~~(\$118,000)~~ \$138,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~(If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~

(20) \$25,000 of the general fund—state appropriation for fiscal year 2024 and \$10,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~

(21) ~~(\$5,000,000)~~ \$3,977,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~(If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~

(22) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~(If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.)~~

(23) \$127,000 of the workforce education investment account—state appropriation is provided solely to develop the postbaccalaureate dental therapy certificate in the college of health science and public health.

(24) \$144,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for emergency response and resources for critical incidents.

(25) \$535,000 of the workforce education investment account—state appropriation is provided solely to support college in high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

(26) \$95,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 605. 2023 c 475 s 609 (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY

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General Fund—State	Appropriation	(FY 2024)	
			(\$68,760,000)
			<u>\$68,904,000</u>
General Fund—State	Appropriation	(FY 2025)	
			(\$71,733,000)
			<u>\$72,120,000</u>
Central Washington University Capital Projects			
Account—State	Appropriation		\$76,000
Education Legacy Trust	Account—State	Appropriation	
			\$19,076,000
Workforce Education Investment Account—State			
Appropriation			(\$16,537,000)
			<u>\$15,814,000</u>
TOTAL APPROPRIATION			(\$176,182,000)
			<u>\$175,990,000</u>

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

(1) The university must continue work with the education research and data center to demonstrate progress in engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in engineering programs above the prior academic year.

(2) Central Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) ~~(\$14,186,000)~~ \$14,337,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$14,498,000)~~ \$14,696,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(5) \$2,236,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(6) \$1,050,000 of the workforce education investment account—state appropriation is provided solely to increase the number of certified K-12 teachers.

(7) \$736,000 of the workforce education investment account—state appropriation is provided solely to maintain mental health counseling positions.

(8) \$240,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for two counselor positions to increase access to mental health counseling for traditionally underrepresented students.

(9) \$52,000 of the general fund—state appropriation for fiscal year 2024 and \$52,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health outreach and service coordination position who has knowledge of issues relevant to veterans.

(10) \$240,000 of the workforce education investment account—state appropriation is provided solely for expanding cybersecurity capacity by adding additional faculty resources in the department of computer science.

(11) \$586,000 of the workforce education investment account—state appropriation is provided solely for a peer mentoring program. The amount provided in this subsection must

be used to supplement, not supplant, other funding sources for the program.

(12) \$286,000 of the workforce education investment account—state appropriation is provided solely for the operation of an extended orientation program to help promote retention of underserved students. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(13) \$12,000 of the general fund—state appropriation for fiscal year 2024 and \$12,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the cost of the criminal justice training center's use of office and classroom space at the Lynnwood campus.

(14) \$592,000 of the general fund—state appropriation for fiscal year 2024 and \$1,091,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(15) \$1,406,000 of the workforce education investment account—state appropriation is provided solely for student success. Students will receive discipline specific tutoring programs, peer assisted learning sessions, and academic success coaching.

(16) \$967,000 of the workforce education investment account—state appropriation is provided solely for grow your own teacher residency programs in high need areas of elementary, bilingual, special education, and English language learners.

(17) \$844,000 of the workforce education investment account—state appropriation is provided solely for dual language expansion programs in Yakima and Des Moines.

(18) ~~(\$126,000)~~ \$147,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(19) \$25,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$57,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1390 (district energy systems). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(21) ~~(\$8,060,000)~~ \$5,709,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute Senate Bill No. 5048 (college in high school fees). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(22) \$18,000 of the general fund—state appropriation for fiscal year 2024 and \$18,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(23) \$398,000 of the workforce education investment account—state appropriation is provided solely for student basic needs. This funding will support two financial aid coaching specialists, support a coordinator for the food pantry, support a director and advocate to assist students who have experienced sexual violence, and help with prevention initiatives.

(24) \$1,209,000 of the workforce education investment account—state appropriation is provided solely to support college in the high school program expansion resulting from passage of chapter 314, Laws of 2023 (2SSB 5048).

(25) Appropriations in this section are sufficient to implement the collective bargaining agreement between Central Washington University and the campus police officers and sergeants negotiated under chapter 41.80 RCW and as set forth in part IX of this act.

(26) \$22,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 606. 2023 c 475 s 610 (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund—State Appropriation (FY 2024)	((\$39,088,000))
	<u>\$38,770,000</u>
General Fund—State Appropriation (FY 2025)	((\$38,499,000))
	<u>\$39,723,000</u>
The Evergreen State College Capital Projects	
Account—State Appropriation	\$80,000
Education Legacy Trust Account—State Appropriation	\$5,450,000
Workforce Education Investment Account—State	
Appropriation.....	((\$5,554,000))
	<u>\$5,795,000</u>
TOTAL APPROPRIATION.....	((\$88,671,000))
	<u>\$89,818,000</u>

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

(1) ~~((~~\$4,315,000~~))~~ \$4,361,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$4,410,000~~))~~ \$4,470,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(2) Funding provided in this section is sufficient for The Evergreen State College to continue operations of the Longhouse Center and the Northwest Indian applied research institute.

(3) Within amounts appropriated in this section, the college is encouraged to increase the number of tenure-track positions created and hired.

(4) ~~((~~\$4,063,000~~))~~ \$3,715,000 of the general fund—state appropriation for fiscal year 2024 and ~~((~~\$2,732,000~~))~~ \$3,640,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state institute for public policy to initiate, sponsor, conduct, and publish research that is directly useful to policymakers and manage reviews and evaluations of technical and scientific topics as they relate to major long-term issues facing the state. Within the amounts provided in this subsection (4):

(a) \$1,665,000 of the amounts in fiscal year 2024 and \$1,685,000 of the amounts in fiscal year 2025 are provided for administration and core operations.

(b) ~~((~~\$1,229,000~~))~~ \$1,069,000 of the amounts in fiscal year 2024 and ~~((~~\$529,000~~))~~ \$709,000 of the amounts in fiscal year 2025 are provided solely for ongoing and continuing studies on the Washington state institute for public policy's work plan.

(c) ~~((~~\$202,000~~))~~ \$142,000 of the amounts in fiscal year 2024 and ~~((~~\$80,000~~))~~ \$140,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy to update its adult corrections inventory of evidence-based, research-based, and promising programs and expand the inventory to include new programs that were not included in the last published Washington state institute for public policy inventory in 2018. This update must focus on programs for incarcerated individuals in prison facilities to include family and

relationships programs, learning and working programs, and therapeutic and support programs. The institute should prioritize the addition of programs currently offered by the Washington state department of corrections. Of this amount:

(i) No later than ~~((December 31, 2023))~~ June 30, 2024, the institute shall publish a preliminary report identifying the list of programs currently offered in Washington state department of corrections prison facilities and the list of new programs to be analyzed for inclusion on the updated adult corrections inventory. The preliminary report must include an indication of whether the Washington state department of corrections programs have ever been evaluated for their effect on recidivism; and

(ii) No later than December 31, 2024, the institute shall publish a final report with the updated adult corrections inventory classifying programs as evidence-based, research-based, or promising programs. The report shall include a list of programs currently offered in Washington state department of corrections prison facilities and a determination of their likely effectiveness in reducing recidivism based on the results of the adult corrections inventory.

(d)(i) \$154,000 of the amount for fiscal year ~~((2024))~~ 2025 is provided solely for the institute to examine the costs associated with conservation district elections under current law, and the projected costs and benefits for shifting conservation district election to be held on general election ballots under Title 29A RCW. The examination must include, to the extent that the data allows:

(A) An analysis of the amount of money that each conservation district spends on holding elections for supervisors under current law, and a description of the funding sources that each conservation district utilizes to fund its elections;

(B) Information about voter turnout in each conservation district supervisor election in at least the past six years and up to the past 20 years, if the conservation district has such data, as well as a calculation of the total cost per ballot cast that each conservation district spent in those elections;

(C) A projection of the costs that would be expected to be incurred by each county and each conservation district for its supervisor elections if the district were to hold its supervisor elections on general election ballots under the processes and procedures in Title 29A RCW, including:

- (I) Switching all supervisor positions to elected positions; and
- (II) Changing term lengths to four years, with terms staggered such that elections are held every two years, to align with the elections for other local government officials;

(D) A projection of the costs that would be expected to be incurred by each county and each conservation district for its supervisor elections if, in addition to the changes described in (d)(i)(C) of this subsection, the conservation districts were divided into zones such that each zone is represented by a single supervisor, rather than electing each supervisor at-large throughout the district; and

(E) An overall description of potential nonmonetary costs and benefits associated with switching conservation district supervisor elections to the general election ballots under Title 29A RCW and incorporating the changes described in (d)(i) (C) and (D) of this subsection.

(ii) A preliminary report which contains any available information to date must be completed by December 1, ~~((2023))~~ 2024. A final report must be completed by June 30, ~~((2024))~~ 2025, and submitted in accordance with RCW 43.01.036 to the standing committees of the house of representatives and the senate with jurisdiction over elections and conservation district issues.

(e) \$100,000 of the amounts for fiscal year 2024 and \$100,000 of the amounts for fiscal year 2025 are provided solely for the institute to conduct a review of all assessments and charges

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imposed on individuals incarcerated in department of corrections facilities and their family members and its effect on the financial status of incarcerated individuals. The review must include, at a minimum:

(i) An evaluation of all costs incurred by incarcerated individuals for items that include but are not limited to:

- (A) Food;
- (B) Commissary items;
- (C) Personal hygiene items;
- (D) Electronic devices and services, tablets, digital stamps, and downloadable media and services such as music, movies, and other programs;
- (E) Stationary, mail, and postage;
- (F) Communication devices such as telephones, local and nonlocal telephone services, and video chat services;
- (G) Clothing and shoes;
- (H) Copayments for medical, dental, and optometry visits, care, and medication;
- (I) Eyeglasses;
- (J) Gym, television services, and any other recreational activities;
- (K) Educational and vocational classes, programming, and related materials; and
- (L) Any and all items and services charged to incarcerated persons under RCW 72.09.450 and 72.09.470 including, but not limited to, a complete list of any other item that an individual was or could have been charged for while incarcerated;

(ii) A complete itemized list of: (A) All items in (e)(i) of this subsection; (B) the cost of each item and service purchased by the department or negotiated with a vendor in (e)(i) of this subsection; (C) the resale or purchased price charged to incarcerated individuals and their family members for the same items in (e)(i) of this subsection; (D) the revenue or profit retained or reinvested by the department for each individual item in (e)(i) of this subsection; (E) the cost of items and services listed in (e)(i) of this subsection compared to comparable items and services that are not provided through correctional industries; and (F) an assessment of the prices charged for the items and services listed in (e)(i) of this subsection as compared to comparable items and services provided by other companies and vendors that do not service prisons;

(iii) A complete list of all items including, but not limited to, clothing and personal hygiene items, that are distributed monthly free of charge: (A) To all incarcerated individuals irrespective of their financial status; and (B) solely to indigent inmates as defined in RCW 72.09.015 provided the individual remains in indigent status during his or her period of incarceration;

(iv) The average annual debt incurred by an individual while incarcerated. This includes debt solely recorded and posted by the department for debt incurred between the individual's first day of confinement within the department of corrections through the individual's day of release from incarceration from prison;

(v) The average debt owed by incarcerated individuals to the department for items and services under (e)(i) of this subsection upon release from confinement;

(vi) The average amount paid by incarcerated individuals to the department for items and services under (e)(i) of this subsection during their period of confinement;

(vii) A list of the: (A) Required deductions from wages and gratuities earned pursuant to RCW 72.09.100 through 72.09.111; (B) required deductions from the funds received, by the department on behalf of an incarcerated person from outside sources, in addition to an incarcerated individual's wages or gratuities pursuant to RCW 72.09.480; and (C) wages and gratuities earned by an incarcerated individual and any funds

received, by the department on behalf of an incarcerated person, from outside sources for specific items listed in (e)(i) of this subsection that are exempt from statutory deductions;

(viii) The average amount of funds remaining in an incarcerated individual's savings account at the time of his or her release from confinement; and

(ix) A review and evaluation of the fines, fees, and commission generated from any of the items and services listed in (e)(i) of this subsection that are used in the department's budget.

The institute must provide a final report to the governor and the appropriate committees of the legislature by June 30, 2025.

(f)(i) ~~(\$50,000)~~ \$76,000 of the amount for fiscal year 2024 ~~(is)~~ and \$128,000 of the amount for fiscal year 2025 are provided solely for the institute to study the contracting practices for goods and services, and manufactured products, made or offered by correctional industries to state agencies and various political subdivisions within the state. A cost benefit analysis must be included in the report which must:

(A) Determine the costs of all contracts utilizing the labor of incarcerated individuals providing services or the manufacture of goods for state entities and other political subdivisions;

(B) Compare the cost savings to the state of Washington that is projected when those goods and services are procured from or produced by corrections industries and not private businesses engaged in a competitive bidding process with the state and its various political subdivisions;

(C) Provide a detailed break out of total number of labor positions that are offered to incarcerated individuals, ranked from least skilled to most skilled and the rate per hour of the gratuities the individuals are given monthly for this labor, including the amount if the gratuity given to incarcerated individuals was the federal or state mandated minimum wage;

(D) Provide a detailed listing of all commissary items purchased by and offered for sale to individuals incarcerated within the facilities operated by the department of corrections. This listing of individual items must also include the wholesale price from outside vendors that correction industries pays for each line item offered to incarcerated individuals, and the price charged to the incarcerated individual for those items; and

(E) Provide a comprehensive list of all positions offered by corrections industries that provide substantive training and labor ready skills for individuals to assume positions in the workforce outside of incarceration; and to the extent the data allows, provide the number of individuals who have positions upon release that were obtained with skills obtained through work at correctional industries.

(ii) The institute must submit a report to the appropriate committees of the legislature by June 30, 2025, in compliance with RCW 43.01.036.

(g)(i) \$260,000 of the amounts in fiscal year 2024 and \$98,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy to conduct a study of the Washington jail system and county juvenile justice facilities.

(ii) The institute's report shall include, to the extent possible, consideration of the following:

(A) A longitudinal study of how the county jail and county juvenile detention populations have changed over the last 12 years including, but not limited to, an analysis of demographics, physical and behavioral health issues, number of inmates, and types of convictions;

(B) An analysis of county jail and county juvenile detention facility survey data provided by the Washington state association of counties as described in (g)(v) of this subsection; and

(C) Examination of the availability of criminal justice training commission classes for corrections officers.

(iii) The health care authority, department of social and health services, administrative office of the courts, criminal justice training commission, state auditor's office, office of financial management, and Washington state patrol must provide the institute with access to data or other resources if necessary to complete this work.

(iv) The institute shall submit the report to the appropriate committees of the legislature and the governor by December 1, 2024.

(v) As part of the study, the institute shall contract with the Washington state association of counties to conduct a survey of jail and juvenile detention facilities in Washington state. The survey shall include, but not be limited to, the following:

- (A) Age of the facilities;
- (B) Age of systems within the facilities;
- (C) Cost of remodeling facilities;
- (D) Cost of building new facilities;
- (E) General maintenance costs of the facilities;
- (F) Operational costs of the facilities;
- (G) Workforce, to include, but not be limited to, employee vacancies as a percentage of total employees;
- (H) Services, supports, and programming, to include, but not be

limited to:

- (I) Costs of housing those with behavioral health needs;
- (II) Number of individuals with behavioral health needs;
- (III) Cost of competency restoration;
- (IV) Physical health services and related costs;
- (V) Number of individuals booked and housed on behalf of state agencies;
- (VI) Percent of individuals waiting for a state hospital;
- (VII) Available nonincarcerative alternatives and diversion programs; and
- (VIII) Available release and reentry services;
- (I) Funding sources, to include, but not be limited to:
- (I) County tax structure and revenue raising ability; and
- (II) Jail and juvenile detention facility funding sources.

(vi) The Washington state association of counties shall consult with the Washington state institute for public policy during the design and distribution of the survey. Responses to the survey shall be compiled and provided to the Washington state institute for public policy by December 31, 2023.

(h)(i) \$240,000 of the amounts in fiscal year 2024 and \$240,000 of the amounts in fiscal year 2025 are provided solely for the Washington state institute for public policy, in consultation with the Washington traumatic brain injury strategic partnership advisory council, to study the potential need for developing specialized long-term services and supports for adults with traumatic brain injuries.

(ii) At a minimum, the study must include an examination of:

(A) The demographics of adults with traumatic brain injuries in the state who are anticipated to be in need of long-term services and supports, including an examination of those who are likely to be eligible for medicaid long-term services and supports;

(B) The industry standards of providing long-term care services and supports to individuals with traumatic brain injuries; and

(C) The methods other states are utilizing to provide long-term services and supports to individuals with traumatic brain injuries, including identifying the rates paid for these services and a description of any specialized facilities established to deliver these services.

(iii) A report of the findings of this study and any recommendations for increasing access to appropriate long-term services and supports for individuals with traumatic brain injuries shall be submitted to the governor and the appropriate committees

of the legislature no later than June 30, 2025.

(i) \$163,000 of the amounts in fiscal year 2024 are provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5236 (hospital staffing standards). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(j) \$222,000 of the amounts in fiscal year 2025 are provided solely for implementation of chapter 29, Laws of 2022 (2SHB 1818) (reentry and rehabilitation).

(k) \$107,000 of the amounts in fiscal year 2025 is provided solely for the Washington state institute for public policy to examine programs in peer states related to breast cancer education and prevention prior to diagnosis and support and resources after diagnosis for native communities. The study must focus on programs that are operated by either the state, tribes solely, or tribes in coordination with the state. To identify peer states, the institute may consider factors such as the population of American Indians and Alaska natives, number of federally recognized tribes, and whether the state has expanded medicaid. The report shall include for each peer state the existence of any programs that meet the criteria described in this section, and summarize any research findings on these programs, if available. The institute must submit a report to the appropriate committees of the legislature by June 30, 2025, in compliance with RCW 43.01.036.

(l) \$57,000 of the amounts in fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5986 (out-of-network health costs). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(m) Notwithstanding other provisions in this subsection, the board of directors for the Washington state institute for public policy may adjust due dates for projects included on the institute's 2023-25 work plan as necessary to efficiently manage workload.

(5) \$213,000 of the general fund—state appropriation for fiscal year 2024 and \$213,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for additional faculty to support Native American and indigenous programs.

(6) \$85,000 of the general fund—state appropriation for fiscal year 2024 and \$85,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to the native pathways program for an assistant director.

(7) \$110,000 of the general fund—state appropriation for fiscal year 2024 and \$110,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a tribal liaison position.

(8) \$39,000 of the general fund—state appropriation for fiscal year 2024 and \$39,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(9) \$137,000 of the general fund—state appropriation for fiscal year 2024 and \$137,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for student mental health and wellness. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for the program.

(10) \$196,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for additional laboratory, art, and media lab sections.

(11) \$600,000 of the general fund—state appropriation for fiscal year 2024 and \$600,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to develop and expand current corrections education programs offered in department of corrections facilities. The college shall appoint a project implementation team, collaborate with stakeholders to plan student success programs and curriculum which lead to

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transferable credit, associate and bachelor's degrees, and other workforce credentials, and train faculty and staff on working with incarcerated populations.

(12) \$2,636,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(13) \$670,000 of the workforce education investment account—state appropriation is provided solely to maintain enrollment capacity in psychology programs.

(14) \$600,000 of the workforce education investment account—state appropriation is provided solely to increase student success by maintaining support for a student precollege immersion program and the Evergreen first-year experience.

(15) \$988,000 of the workforce education investment account—state appropriation is provided solely for student enrollment and retention support. Funding is provided for hiring a student advisor and underserved student specialist to provide student support and administrative support for the native pathways program.

(16) \$554,000 of the workforce education investment account—state appropriation is provided solely for the expansion of corrections education offerings to currently incarcerated students and the expansion of reentry services.

(17) ~~(\$106,000)~~ \$124,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(18) \$26,000 of the general fund—state appropriation for fiscal year 2024 and \$26,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). ~~((If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.))~~

(19) \$6,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(20) \$97,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(21) \$223,000 of the workforce education investment account—state appropriation is provided solely for the Shelton promise pilot program.

(22) \$42,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 607. 2023 c 475 s 611 (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund—State Appropriation (FY 2024)	.....	(\$98,802,000)
		<u>\$99,066,000</u>
General Fund—State Appropriation (FY 2025)	.....	(\$103,707,000)
		<u>\$104,923,000</u>

Western Washington University Capital Projects

Account—State Appropriation.....	\$1,424,000
Education Legacy Trust Account—State Appropriation	.....
Workforce Education Investment Account—State	.....
Appropriation	(\$21,399,000)
	<u>\$22,264,000</u>
TOTAL APPROPRIATION	(\$239,163,000)
	<u>\$241,508,000</u>

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

(1) The university must continue work with the education research and data center to demonstrate progress in computer science and engineering enrollments. By September 1st of each year, the university shall provide a report including but not limited to the cost per student, student completion rates, and the number of low-income students enrolled in each program, any process changes or best-practices implemented by the university, and how many students are enrolled in computer science and engineering programs above the prior academic year.

(2) Western Washington University shall not use funds appropriated in this section to support intercollegiate athletics programs.

(3) ~~(\$19,580,000)~~ \$19,789,000 of the general fund—state appropriation for fiscal year 2024 and ~~(\$20,010,000)~~ \$20,283,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the implementation of the college affordability program as set forth in RCW 28B.15.066.

(4) \$700,000 of the general fund—state appropriation for fiscal year 2024 and \$700,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creation and implementation of an early childhood education degree program at the western on the peninsulas campus. The university must collaborate with Olympic college. At full implementation, the university is expected to grant approximately 75 bachelor's degrees in early childhood education per year at the western on the peninsulas campus.

(5) \$1,306,000 of the general fund—state appropriation for fiscal year 2024 and \$1,306,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university to develop a new program in marine, coastal, and watershed sciences.

(6) \$886,000 of the general fund—state appropriation for fiscal year 2024 and \$886,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the university to reduce tuition rates for four-year degree programs offered in partnership with Olympic college—Bremerton, Olympic college—Poulsbo, and Peninsula college—Port Angeles that are currently above state-funded resident undergraduate tuition rates.

(7) \$150,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to recruit and retain high quality and diverse graduate students.

(8) \$548,000 of the general fund—state appropriation for fiscal year 2024 and \$548,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for critical support services to ensure traditionally underrepresented students receive the same opportunities for academic success as their peers.

(9) \$48,000 of the general fund—state appropriation for fiscal year 2024 and \$48,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for one full-time mental health counselor licensed under chapter 18.225 RCW who has experience and training specifically related to working with active members of the military or military veterans.

(10) \$530,000 of the general fund—state appropriation for fiscal year 2024 and \$530,000 of the general fund—state

appropriation for fiscal year 2025 are provided solely for the operation of two bilingual educator programs in the south King county region, including a bilingual elementary education degree program and a secondary education degree program. At full implementation, each cohort shall support up to 25 students per year.

(11) \$361,000 of the general fund—state appropriation for fiscal year 2024 and \$361,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a master of science program in nursing.

(12) \$433,000 of the general fund—state appropriation for fiscal year 2024 and \$433,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the registered nurse to bachelors in nursing program.

(13) Within amounts appropriated in this section, the university is encouraged to increase the number of tenure-track positions created and hired.

(14) \$2,256,000 of the workforce education investment account—state appropriation is provided solely for institution operating costs, including compensation and central services, in recognition that these costs exceed estimated increases in undergraduate operating fee revenue as a result of RCW 28B.15.067.

(15) \$3,426,000 of the workforce education investment account—state appropriation is provided solely to maintain access to science, technology, engineering, and mathematics degrees.

(16) \$908,000 of the workforce education investment account—state appropriation is provided solely to establish an academic curriculum in ethnic studies.

(17) \$400,000 of the workforce education investment account—state appropriation is provided solely for upgrading cyber range equipment and software.

(18) \$2,520,000 of the workforce education investment account—state appropriation is provided solely for student support services that include resources for outreach and financial aid support, retention initiatives including targeted support for underserved student populations, mental health support, and initiatives aimed at addressing learning disruption due to the global pandemic. The amount provided in this subsection must be used to supplement, not supplant, other funding sources for student support services.

(19) \$200,000 of the workforce education investment account—state appropriation is provided solely for planning student studios to assist cities and counties with planning projects. Assistance shall focus on students and supporting faculty to facilitate on-site learning with cities and counties.

(20) \$500,000 of the workforce education investment account—state appropriation is provided solely for the student civic leaders initiative.

(21) \$1,610,000 of the general fund—state appropriation for fiscal year 2024 and \$2,875,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for compensation support.

(22) \$3,186,000 of the workforce education investment account—state appropriation is provided solely for the western on the peninsulas expansion. This includes new two plus two degrees programs such as industrial engineering, data science, and sociology.

(23) \$1,577,000 of the workforce education investment account—state appropriation is provided solely for expanded remedial math and additional English 101 courses, as well first year seminars, and disability accommodation counselors. Of the amounts provided in this subsection for first year seminars, \$125,000 of the general fund—state appropriation for fiscal year 2024 and \$125,000 of the general fund—state appropriation for

fiscal year 2025 are provided for the university to develop a student orientation program for students receiving the Washington college grant, focusing on first-generation and traditionally underrepresented students. The program may include evidence-based student success metrics, peer support, and mentorship following orientation. The program proposal must be submitted to the legislature by December 1, 2023 for implementation in the 2024-2025 academic year.

(24) \$100,000 of the workforce education investment account—state appropriation is provided solely for mental health first aid training for faculty.

(25) \$150,000 of the workforce education investment account—state appropriation is provided solely for the small business development center to increase technical assistance to black, indigenous, and other people of color small business owners in Whatcom county.

(26) \$694,000 of the workforce education investment account—state appropriation is provided to establish a master of social work program at western on the peninsulas.

(27) \$2,478,000 of the workforce education investment account—state appropriation is provided solely for expansion of bilingual educators education.

(28) \$1,000,000 of the workforce education investment account—state appropriation is provided for additional student support and outreach at western on the peninsulas.

(29) \$580,000 of the workforce education investment account—state appropriation is provided solely to convert the human services program at western on the peninsulas from self-sustaining to state-supported to reduce tuition rates for students in the program.

(30) (~~(\$118,000)~~) \$138,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). (~~(If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~)

(31) \$23,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Second Substitute House Bill No. 1028 (crime victims and witnesses). (~~(If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~)

(32) \$10,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for implementation of Substitute Senate Bill No. 5238 (academic employee bargaining). (~~(If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.)~~)

(33) \$1,306,000 of the workforce education investment account—state appropriation is provided solely to establish and administer a teacher residency program focused on special education instruction beginning in the 2024-25 school year. Amounts provided in this subsection are sufficient to support one cohort of 17 residents per school year, and must be prioritized to communities that are anticipated to be most positively impacted by teacher residents who fill teacher vacancies upon completing the teacher residency program and who remain in the communities in which they are mentored. The teacher residency program must meet the following requirements:

(a) Residents receive compensation equivalent to first year paraeducators, as defined in RCW 28A.413.010;

(b) Each resident is assigned a preservice mentor;

(c) Preservice mentors receive a stipend of \$2,500 per year;

(d) Residents receive at least 900 hours of preservice clinical practice over the course of the school year;

(e) At least half of the residency hours specified in (d) of this subsection are in a coteaching setting with the resident's preservice mentor and the other half of the residency hours are in a coteaching setting with another teacher;

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(f) Residents may not be assigned the lead or primary responsibility for student learning;

(g) Coursework taught during the residency is codesigned by the teacher preparation program and the school district, state-tribal education compact school, or consortium, tightly integrated with residents' preservice clinical practice, and focused on developing culturally responsive teachers; and

(h) The program must prepare residents to meet or exceed the knowledge, skills, performance, and competency standards described in RCW 28A.410.270(1).

(34) \$445,000 of the workforce education investment account—state appropriation is provided solely to continue the expansion of the undergraduate electrical and computer engineering program.

(35) \$400,000 of the workforce education investment account—state appropriation is provided solely for academic access and outreach.

(36) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the university to contract with a nonprofit organization in Kitsap county that provides cyber security curriculum to postsecondary institutions for cyber security education in partnership with the Washington state cyber range in Poulsbo.

(37) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the university to contract with a nonprofit organization in Whatcom county that provides economic and financial education to conduct foundational research on the efficacy of financial education course formats.

(38) \$100,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the institute for the study of the Holocaust, genocide, and crimes against humanity to collaborate with the office of the superintendent of public instruction on curriculum development and teacher training.

(39) \$122,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Second Substitute House Bill No. 2112 (higher ed. opioid prevention). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 608. 2023 c 475 s 612 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—
POLICY COORDINATION AND ADMINISTRATION**

General Fund—State Appropriation (FY 2024).	(\$9,850,000)
	\$9,891,000
General Fund—State Appropriation (FY 2025).	(\$9,416,000)
	\$10,294,000
General Fund—Federal Appropriation	(\$20,996,000)
	\$20,998,000
Washington Student Loan Account—State Appropriation	
.....	(\$90,000,000)
	\$80,000,000
Workforce Education Investment Account—State	
Appropriation.....	(\$16,311,000)
	\$16,561,000
TOTAL APPROPRIATION.....	(\$146,573,000)
	\$137,744,000

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

(1) \$126,000 of the general fund—state appropriation for fiscal year 2024 and \$126,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the consumer protection unit.

(2) The student achievement council must ensure that all institutions of higher education as defined in RCW 28B.92.030 and eligible for state financial aid programs under chapters

28B.92 and 28B.118 RCW provide the data needed to analyze and evaluate the effectiveness of state financial aid programs. This data must be promptly transmitted to the education data center so that it is available and easily accessible.

(3) Community-based organizations that receive state funding under subsection (11) of this section and (~~section 605(35) of this act~~) section 601(35) of this act are not eligible for Washington career and college pathways innovation challenge program grant funding for the same purpose.

(4) \$575,000 of the general fund—state appropriation for fiscal year 2024 and \$575,000 of the general fund—state appropriation for fiscal year 2025 are provided to increase the number of high school seniors and college bound scholars that complete the free application for federal student aid and the Washington application for state financial aid through digital engagement tools, expanded training, and increased events for high school students.

(5) \$850,000 of the general fund—state appropriation for fiscal year 2024 and \$850,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administrative support services to carry out duties and responsibilities necessary for recipients of the Washington college grant who are enrolled in a state registered apprenticeship program.

(6)(a) \$80,000 of the general fund—state appropriation for fiscal year 2024 is provided solely for a pilot program to help students, including those enrolled in state registered apprenticeship programs, connect with health care coverage. The student achievement council, in cooperation with the council of presidents, must provide resources for up to two four-year colleges or universities, one on the east side and one on the west side of the Cascade mountains, to hire or train an employee to:

(i) Provide information to students and college and university staff about available health insurance options;

(ii) Develop culturally relevant materials and conduct outreach for historically marginalized and underserved student populations to assist these populations in their knowledge of access to low cost or free health insurance plans;

(iii) Provide ongoing technical assistance to students about health insurance options or the health insurance application process; and

(iv) Provide technical assistance to students as a health benefit exchange certified assister, to help students understand, shop, apply, and enroll in health insurance through Washington health planfinder.

(b) Participation in the exchange assister program is contingent on fulfilling applicable contracting, security, and other program requirements.

(c) The council, in collaboration with the council of presidents and the health benefit exchange, must submit a report by June 30, 2024, to the appropriate committees of the legislature, pursuant to RCW 43.01.036, on information about barriers students, including those enrolled in state registered apprenticeship programs, encountered accessing health insurance coverage; and to provide recommendations on how to improve student and staff access to health coverage based on data gathered from the pilot program.

(7) \$1,208,000 of the general fund—state appropriation for fiscal year 2024 and \$1,208,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington award for vocational excellence. Of the amount provided in this subsection, \$70,000 of the general fund—state appropriation for fiscal year 2024 and \$70,000 of the general fund—state appropriation for fiscal year 2025 may be used for administration and that is the maximum amount that may be expended for this purpose.

(8) \$2,000,000 of the workforce education investment

account—state appropriation is provided solely for the career launch grant pool for the public four-year institutions.

(9) \$179,000 of the general fund—state appropriation for fiscal year 2024 and \$179,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the complete Washington program.

(10) \$10,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the council to submit a progress report on the new or expanded cybersecurity and nursing academic programs that receive funding in (~~sections 605 through 611 of this act~~) sections 601 through 607 of this act, including the number of students enrolled. The council must coordinate with the institutions of higher education and the state board for community and technical colleges as provided in (~~sections 603(3), 605(31), and 605(37) of this act~~) section 603(3), chapter 475, Laws of 2023 and section 601 (31) and (37) of this act. The progress report must be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by December 1, 2024.

(11) \$5,778,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to contract with a statewide nonprofit organization located in King county to expand college services to support underserved students and improve college retention and completion rates.

(12) \$46,000 of the general fund—state appropriation for fiscal year 2024 and \$46,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the state of Washington's annual dues to the education commission of the state.

(13) \$150,000 of the workforce education investment account—state appropriation is provided solely for an implementation review of the passport to careers program. The review must include short and long-term recommendations to improve the reach and effectiveness of the passport program. The review must include consultation with organizations serving foster youth, the state board of community and technical colleges, public four-year institutions, and other organizations involved in the passport to college and passport to apprenticeship programs. Amounts provided in this subsection may be used to provide stipends for youth participating in the review who are receiving funds from passport programs or are eligible to receive funds from passport programs. The review must be submitted to the appropriate committees of the legislature by June 30, 2024.

(14) \$1,485,000 of the workforce education investment account—state appropriation and (~~(\$90,000,000)~~) \$80,000,000 of the Washington student loan account—state appropriation are provided solely for implementation of Engrossed House Bill No. 1823 (WA student loan program). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(15) \$16,000,000 of the general fund—federal appropriation is provided solely for the good jobs challenge grant expenditure authority.

(16) \$200,000 of the general fund—state appropriation for fiscal year 2024 (~~is~~) and \$230,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for contraception vending machines for students and staff stocked with emergency contraceptive medication and other forms of contraception, including condoms, and naloxone opioid overdose reversal medication administered by nasal inhalation and fentanyl test strips at discreet and geographically accessible locations, such as gender-neutral restrooms and student union buildings, and locations that are accessible on weekends and after 5:00 p.m. The council must distribute \$10,000 to each public four-year institution and community and technical college who apply on a

first-come, first-served basis in fiscal year 2024 and prioritize new applications in fiscal year 2025. An additional \$10,000 may be provided to institutions with more than 20,000 full-time equivalent students. The institutions who receive funding shall enter into agreements with the department of health to receive naloxone and fentanyl test strips to stock the vending machines and provide cost-free access to naloxone and fentanyl test strips to students. A report on which institutions received funding shall be submitted to the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

(17) \$1,150,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1559 (postsecondary student needs). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(18) \$200,000 of the workforce education investment account—state appropriation is provided solely for the council to provide grants to law schools in the state who offer a law clinic focusing on crime victim support.

(19)(a) \$100,000 of the workforce education investment account—state appropriation is provided solely to contract with a nonprofit organization located in Tacoma that focuses on coordinated systems of support for postsecondary success to conduct a comprehensive study on the feasibility and potential impacts on postsecondary enrollment of a policy of universal free application for federal financial aid (FAFSA) completion. For purposes of this subsection, universal FAFSA completion means making completion of the financial aid form a requirement for high school graduation and requiring schools to support students through the process. The study will include, but is not limited to, the following:

(i) A landscape scan of existing state and local level universal FAFSA completion policies, both in Washington and nationally;

(ii) Input from key stakeholder groups, including students, parents, state agency staff, K-12 district staff and leadership, and student serving organizations; and

(iii) Recommendations for possible policy change at the state level.

(b) A report of findings and recommendations must be submitted to the appropriate committees of the legislature pursuant to RCW 43.01.036 by November 30, 2023.

(20) \$648,000 of the workforce education investment account—state appropriation is provided solely for distribution to four-year institutions of higher education participating in the students experiencing homelessness program without reduction by the Washington student achievement council, pursuant to Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(21) \$46,000 of the workforce education investment account—state appropriation is provided solely for the administration of the students experiencing homelessness program pursuant to Engrossed Substitute Senate Bill No. 5702 (student homelessness pilot). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(22) \$400,000 of the workforce education investment account—state appropriation is provided solely for implementation of Substitute Senate Bill No. 5687 (wrestling grant program). (~~If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.~~)

(23) \$356,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to staff the workforce education investment accountability and oversight board as provided in Engrossed Senate Bill No. 5534 (workforce investment board). (~~If the bill is not enacted by June 30, 2023,~~

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~~the amount provided in this subsection shall lapse.)~~

(24) \$191,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the agency to hire a full-time equivalent position to help with increased contracting demand.

(25) \$250,000 of the workforce education investment account—state appropriation is provided solely for a study on establishment and implementation of a scholarship fund as described in RCW 28B.95.040. The study shall include strategy options for disbursement, summary of how tuition units would be allocated for scholarships, and coordination with existing college savings plans. The office shall seek written advice from the internal revenue service on the impact of the provisions in Substitute House Bill No. 2309 on the status of Washington's qualified tuition plan under 529 of the internal revenue code, including potential scalability of the program and its impact on any determination. The report shall include recommendations for implementing the scholarship and be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 30, 2025.

(26) \$330,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute Senate Bill No. 5953 (incarcerated student grants). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 609. 2023 c 475 s 613 (uncodified) is amended to read as follows:

**FOR THE STUDENT ACHIEVEMENT COUNCIL—
OFFICE OF STUDENT FINANCIAL ASSISTANCE**

General Fund—State Appropriation (FY 2024)	((\$302,029,000))
	<u>\$302,031,000</u>
General Fund—State Appropriation (FY 2025)	((\$301,772,000))
	<u>\$301,988,000</u>
General Fund—Federal Appropriation	((\$12,250,000))
	<u>\$12,264,000</u>
General Fund—Private/Local Appropriation	\$300,000
Education Legacy Trust Account—State Appropriation	\$85,488,000
Washington Opportunity Pathways Account—State Appropriation	((\$78,914,000))
	<u>\$76,603,000</u>
Aerospace Training Student Loan Account—State Appropriation	\$220,000
Workforce Education Investment Account—State Appropriation	((\$226,415,000))
	<u>\$323,533,000</u>
Health Professionals Loan Repayment and Scholarship Program Account—State Appropriation	\$11,720,000
TOTAL APPROPRIATION	((\$1,019,108,000))
	<u>\$1,114,147,000</u>

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

(1) \$7,834,000 of the general fund—state appropriation for fiscal year 2024 and \$7,835,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for student financial aid payments under the state work study program, including up to four percent administrative allowance for the state work study program.

(2) \$276,416,000 of the general fund—state appropriation for fiscal year 2024, \$276,416,000 of the general fund—state appropriation for fiscal year 2025, ~~((~~\$169,036,000~~))~~ \$258,584,000 of the workforce education investment account—state appropriation, \$69,639,000 of the education legacy trust

fund—state appropriation, and \$67,654,000 of the Washington opportunity pathways account—state appropriation are provided solely for the Washington college grant program as provided in RCW 28B.92.200.

(3) Changes made to the state work study program in the 2009-2011 and 2011-2013 fiscal biennia are continued in the 2023-2025 fiscal biennium including maintaining the increased required employer share of wages; adjusted employer match rates; discontinuation of nonresident student eligibility for the program; and revising distribution methods to institutions by taking into consideration other factors such as off-campus job development, historical utilization trends, and student need.

(4) \$1,165,000 of the general fund—state appropriation for fiscal year 2024, \$1,165,000 of the general fund—state appropriation for fiscal year 2025, \$15,849,000 of the education legacy trust account—state appropriation, and ~~((~~\$11,260,000~~))~~ \$8,949,000 of the Washington opportunity pathways account—state appropriation are provided solely for the college bound scholarship program and may support scholarships for summer session. The office of student financial assistance and the institutions of higher education shall not consider awards made by the opportunity scholarship program to be state-funded for the purpose of determining the value of an award amount under RCW 28B.118.010.

(5) \$6,999,000 of the general fund—state appropriation for fiscal year 2024 ~~((and))~~, \$6,999,000 of the general fund—state appropriation for fiscal year 2025, and \$1,000,000 of the workforce education investment account—state appropriation are provided solely for the passport to college program. The maximum scholarship award is up to \$5,000. The council shall contract with a nonprofit organization to provide support services to increase student completion in their postsecondary program and shall, under this contract, provide a minimum of \$500,000 in fiscal years 2024 and 2025 for this purpose.

(6) \$55,254,000 of the workforce education investment account—state appropriation is provided solely for an annual bridge grant of \$500 to eligible students. A student is eligible for a grant if the student receives a maximum college grant award and does not receive the college bound scholarship program under chapter 28B.118 RCW. Bridge grant funding provides supplementary financial support to low-income students to cover higher education expenses.

(7) \$500,000 of the workforce education investment account—state appropriation is provided solely for the behavioral health apprenticeship stipend pilot program, with stipends of \$3,000 available to students. The pilot program is intended to provide a stipend to assist students in high-demand programs for costs associated with completing a program, including child care, housing, transportation, and food.

(8) ~~((~~\$1,000,000~~))~~ \$1,425,000 of the workforce education investment account—state appropriation is provided solely for the national guard grant program. Of the amount provided in this subsection, \$425,000 of the workforce education investment account—state appropriation for fiscal year 2025 is provided solely to increase national guard grant award amounts.

(9) \$1,000,000 of the workforce education investment account—state appropriation is provided solely for educator conditional scholarship and loan repayment programs established in chapter 28B.102 RCW. Dual language educators must receive priority.

(10) \$10,000,000 of the health professionals loan repayment and scholarship program account—state appropriation is provided solely to increase loans within the Washington health corps.

(11) \$1,156,000 of the workforce education investment

account—state appropriation is provided solely for implementation of House Bill No. 1232 (college bound scholarship). ((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))

(12) \$239,000 of the workforce education investment account—state appropriation is provided solely for the Washington student achievement council to remove barriers to accessing state financial aid by informing people of their income-eligibility for the Washington college grant via the supplemental nutrition assistance program as provided in Second Substitute House Bill No. 2214 (college grant/public assist). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(13) \$500,000 of the workforce education investment account—state appropriation is provided solely for the Washington award for vocational excellence. This funding will support increasing the scholarship award for students.

(14) \$400,000 of the workforce education investment account—state appropriation is provided solely for a financial aid texting program.

(15) \$500,000 of the workforce education investment account—state appropriation is provided solely for the development and implementation of a mentoring scholarship. An eligible student means a student who participated in a mentoring program as a 12th grade student in Spokane, Garfield, or Columbia counties; filed a free application for federal student aid (FAFSA) or Washington application for state financial aid; and has family income up to 150 percent of the state median family income. An eligible student may receive a maximum award of \$5,000. The award may only be used at institutions of higher education in Spokane, Garfield, Whitman, or Columbia counties. An award that includes state funds must be matched on an equal dollar basis with private funds. A state match for private contributions made in fiscal year 2025 may not exceed \$500,000.

(16) \$200,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for implementation of Substitute House Bill No. 2025 (state work-study program). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(17) \$150,000 of the workforce education investment account—state appropriation is provided solely for implementation of House Bill No. 1946 (behav. health scholarship). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(18) \$100,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2441 (college in the HS fees). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(19) \$1,200,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 2019 (Native American apprentices). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

(20) \$1,500,000 of the workforce education investment account—state appropriation is provided solely for implementation of Senate Bill No. 5904 (financial aid terms). If the bill is not enacted by June 30, 2024, the amount provided in this subsection shall lapse.

Sec. 610. 2023 c 475 s 614 (uncodified) is amended to read as follows:

FOR THE WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD

General Fund—State Appropriation (FY 2024).~~(\$4,845,000))~~
\$4,898,000

General Fund—State Appropriation (FY 2025).~~(\$4,311,000))~~

\$4,879,000
General Fund—Federal Appropriation.....~~(\$55,868,000))~~
\$56,030,000
General Fund—Private/Local Appropriation \$212,000
Climate Commitment Account—State Appropriation\$904,000
Coronavirus State Fiscal Recovery Fund—Federal
Appropriation \$250,000
Workforce Education Investment Account—State
Appropriation~~(\$2,350,000))~~
\$3,425,000
TOTAL APPROPRIATION~~(\$68,740,000))~~
\$70,598,000

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

(1) \$240,000 of the general fund—state appropriation for fiscal year 2024 and \$240,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the health workforce council of the state workforce training and education coordinating board. In partnership with the office of the governor, the health workforce council shall continue to assess workforce shortages across behavioral health disciplines and incorporate the recommended action plan completed in 2020.

(2) \$250,000 of the coronavirus state fiscal recovery fund—federal appropriation is provided solely for an accredited osteopathic medical school to purchase necessary equipment to support the education and training of community-focused occupational therapists.

(3) \$564,000 of the general fund—state appropriation for fiscal year 2024 and \$573,000 of the general fund—state appropriation for fiscal year 2025 are provided solely to conduct health workforce surveys, in collaboration with the nursing care quality assurance commission, to collect and analyze data on the long-term care workforce, and to manage a stakeholder process to address retention and career pathways in long-term care facilities.

(4) \$1,200,000 of the general fund—state appropriation for fiscal year 2024 and \$1,100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for apprenticeship grants, in collaboration with the nursing care quality assurance commission and the department of labor and industries, to address the long-term care workforce.

(5) \$109,000 of the general fund—state appropriation for fiscal year 2024 and \$109,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for administrative expenditures for the Washington award for vocational excellence.

(6) \$2,000,000 of the workforce education investment account—state appropriation is provided solely for the workforce board to award grants for the purposes of providing apprenticeship, industry certifications and wraparound student supports to workers pursuing job advancement and enhancement through college readiness, apprenticeship, degree, certification, or professional development opportunities in the health care field. Grant recipients must be labor-management partnerships established under section 302 of the labor-management relations act, 29 U.S.C. Sec. 186 that demonstrate adequate funding match and competency in the provision of student supports, or employers who can demonstrate service serving greater than 50 percent medicaid populations who can demonstrate that they will use the grant to join or establish a labor-management partnership dedicated to the purposes of this section. Preference must be given to applications that demonstrate an ability to support students from racially diverse backgrounds, and that are focused on in-demand fields with career ladders to living wage jobs. Grant recipients must use the funds to provide services including, but not limited to, development and implementation of apprenticeship and industry certifications, benefits administration, tuition assistance, counseling and navigation,

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tutoring and test preparation, instructor/mentor training, materials and technology for students, childcare, and travel costs.

(7) \$92,000 of the general fund—state appropriation for fiscal year 2024 and \$92,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a full-time information technology position to collaborate with other state workforce agencies to establish and support a governance structure that provides strategic direction on cross-organizational information technology projects. The board must submit a report to the governor's office and the appropriate committees of the legislature, pursuant to RCW 43.01.036, with a progress update and recommendations on a coalition model that will result in better service coordination and public stewardship that enables the efficient delivery of workforce development services by September 1, 2023, and September 1, 2024.

(8) The workforce board must report to and coordinate with the department of ecology to track expenditures from climate commitment act accounts, as defined and described in RCW 70A.65.300 and section 302(13) of this act.

(9) \$84,000 of the workforce education investment account—state appropriation is provided solely for implementation of Second Substitute House Bill No. 1724 (behavioral health workforce). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(10) \$904,000 of the climate commitment account—state appropriation is provided solely for the implementation of Second Substitute House Bill No. 1176 (climate-ready communities), which creates a clean energy technology workforce advisory committee. ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~ The agency must conduct a study in fiscal year 2024 of the feasibility of a transition to retirement program to ensure income and medical and retirement benefits are not interrupted for workers close to retirement that face job loss or transition because of clean energy technology sector changes.

(11) \$256,000 of the workforce education investment account—state appropriation is provided solely for implementation of Engrossed Second Substitute Senate Bill No. 5582 (nurse supply). ~~((If the bill is not enacted by June 30, 2023, the amount provided in this subsection shall lapse.))~~

(12) \$1,075,000 of the workforce education investment account—state appropriation is provided solely for digital equity. Of the amount provided in this subsection:

(a) \$150,000 of the workforce education investment account—state appropriation is provided solely for administration and oversight of digital equity workforce coordination and expansion.

(b) \$150,000 of the workforce education investment account—state appropriation is provided solely for development of an interactive portal for job seekers, workers, and students, focused on information technology and information technology adjacent careers.

(c) \$350,000 of the workforce education investment account—state appropriation is provided solely for reentry services for individuals within the prison system who are within three to five months of release for direct entry into a program or employment.

(d) \$425,000 of the workforce education investment account—state appropriation is provided solely for the board to contract with Washington State University to provide preliminary work to inform the design and development of a Washington digital literacy credential program. The institution shall research the landscape of digital literacy programs from providers across the state; create a comprehensive database of available programs; research and identify gaps in the needed skills training currently available; research and identify potential subject matter experts; and identify digital badging opportunities in accordance with state

guidelines and needs. A report shall be submitted to the appropriate committees of the legislature, pursuant to RCW 43.01.036, by June 1, 2025.

(13) \$300,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for a new application portal for the Washington award for vocational excellence scholarship program.

Sec. 611. 2023 c 475 s 615 (uncodified) is amended to read as follows:

FOR THE STATE SCHOOL FOR THE BLIND

General Fund—State Appropriation (FY 2024)	.....	(\$11,090,000)
		<u>\$11,072,000</u>
General Fund—State Appropriation (FY 2025)	.....	(\$11,186,000)
		<u>\$11,356,000</u>
General Fund—Private/Local Appropriation	.....	\$34,000
TOTAL APPROPRIATION	.....	(\$22,310,000)
		<u>\$22,462,000</u>

The appropriations in this section are subject to the following conditions and limitations: Funding provided in this section is sufficient for the school to offer to students enrolled in grades six through twelve for full-time instructional services at the Vancouver campus or online with the opportunity to participate in a minimum of one thousand eighty hours of instruction and the opportunity to earn twenty-four high school credits.

Sec. 612. 2023 c 475 s 616 (uncodified) is amended to read as follows:

FOR THE WASHINGTON CENTER FOR DEAF AND HARD OF HEARING YOUTH

General Fund—State Appropriation (FY 2024)	.....	(\$17,953,000)
		<u>\$18,505,000</u>
General Fund—State Appropriation (FY 2025)	.....	(\$17,997,000)
		<u>\$18,774,000</u>
General Fund—Private/Local Appropriation	....	(\$3,050,000)
		<u>\$4,052,000</u>
TOTAL APPROPRIATION	.....	(\$39,000,000)
		<u>\$41,331,000</u>

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

(1) Funding provided in this section is sufficient for the center to offer students ages three through 21 enrolled at the center the opportunity to participate in a minimum of 1,080 hours of instruction and the opportunity to earn 24 high school credits.

(2) \$225,000 of the general fund—state appropriation for fiscal year 2024 and \$225,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a mentoring program for persons employed as educational interpreters in public schools.

(3) \$240,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for additional student-based safety training as well as diversity, equity, and inclusion training for staff.

Sec. 613. 2023 c 475 s 617 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ARTS COMMISSION

General Fund—State Appropriation (FY 2024)	.....	(\$6,615,000)
		<u>\$6,329,000</u>
General Fund—State Appropriation (FY 2025)	.....	(\$6,795,000)
		<u>\$7,595,000</u>
General Fund—Federal Appropriation	.....	(\$2,230,000)
		<u>\$2,830,000</u>
General Fund—Private/Local Appropriation	.....	\$184,000

TOTAL APPROPRIATION.....(~~(\$15,824,000)~~)
 \$16,938,000

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

(1) \$79,000 of the general fund—state appropriation for fiscal year 2024 and \$79,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the creative districts program.

(2) \$868,000 of the general fund—state appropriation for fiscal year 2024 and \$867,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the establishment of a tribal cultural affairs program. Of the amounts provided in this subsection, \$500,000 of the general fund—state appropriation for fiscal year 2024 and \$500,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for grants to support tribal cultural, arts, and creative programs.

(3) \$151,000 of the general fund—state appropriation for fiscal year 2024 and \$137,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to hire a temporary collections technician to maintain and repair public art in the state art collection.

(4) \$250,000 of the general fund—state appropriation for fiscal year 2024 and \$250,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the commission to implement a pilot program for in-person and online arts programming, targeting adults and families impacted by housing instability, mental health challenges, and trauma.

(5) (~~(\$489,000)~~) \$199,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$654,000)~~) \$944,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for implementation of Second Substitute House Bill No. 1639 (Billy Frank Jr. statue). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(6) \$150,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for an outdoor public art project in downtown Everett on the façade of the Schack art center. The project shall feature stainless steel images of Sasquatch and Pacific Northwest elements, honoring the rich cultural heritage of the region and the narrative history of the Coast Salish Tribes.

Sec. 614. 2023 c 475 s 618 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HISTORICAL SOCIETY

General Fund—State Appropriation (FY 2024).(~~(\$5,327,000)~~)
\$5,424,000

General Fund—State Appropriation (FY 2025).(~~(\$5,467,000)~~)
\$6,715,000

Local Museum Account—Washington State Historical Society—Private/Local Appropriation \$70,000

TOTAL APPROPRIATION.....(~~(\$10,864,000)~~)
\$12,209,000

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

(1) \$100,000 of the general fund—state appropriation for fiscal year 2024 and \$100,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the purpose of supporting the Washington museums connect initiative, creating an inventory of rural, volunteer, and multidiscipline museums and place-based heritage groups to connect at-risk museums to a statewide funding and operational network. The department shall contract with an organization that works with and connects museums in Washington state.

(a) The contracted organization must:

(i) Submit to the department a report regarding funding needs for the museums and place-based heritage groups identified in the

statewide inventory created in the first phase of the initiative;

(ii) Submit to the department a strategic plan assessing opportunities for the entities identified in the statewide inventory to access local, state, and national funding; and

(iii) Distribute to the entities identified in the inventory information regarding opportunities to apply for local, state, and national funding for the duration of the contract.

(b) The report and the strategic plan are due by June 30, 2025.

(2) \$90,000 of the general fund—state appropriation for fiscal year 2024 and \$88,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an assistant curator at the Washington state history museum.

(3) \$4,000 of the general fund—state appropriation for fiscal year 2024, \$4,000 of the general fund—state appropriation for fiscal year 2025, and \$70,000 of the local museum account—Washington state historical society—private/local appropriation are provided solely for implementation of Second Substitute House Bill No. 1639 (Billy Frank Jr. statue). (~~If the bill is not enacted by June 30, 2023, the amounts provided in this subsection shall lapse.~~)

(4) \$99,000 of the general fund—state appropriation for fiscal year 2024 and (~~(\$242,000)~~) \$428,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for the Washington state historical society to partner with statewide organizations specializing in the preservation of Washington state aviation history to organize a centennial celebration of the first round-the-world flight that captures the narratives and contributions of Washingtonians to the history of aviation.

(5) \$320,000 of the general fund—state appropriation for fiscal year 2025 is provided solely for the Washington state historical society to partner with a statewide organization specializing in the preservation of Washington state Jewish history to transform and expand the collection of oral histories from Jewish Washingtonians in order to build awareness and to provide education.

Sec. 615. 2023 c 475 s 619 (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY

General Fund—State Appropriation (FY 2024) (~~(\$4,429,000)~~)
\$4,794,000

General Fund—State Appropriation (FY 2025) (~~(\$4,452,000)~~)
\$4,712,000

TOTAL APPROPRIATION (~~(\$8,881,000)~~)
\$9,506,000

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

(1) \$103,000 of the general fund—state appropriation for fiscal year 2024 and \$103,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for a director of support services.

(2) \$52,000 of the general fund—state appropriation for fiscal year 2024 and \$52,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for an information technology staff to replace the society's contracted information technology support.

(3) \$350,000 of the general fund—state appropriation for fiscal year 2024 and \$150,000 of the general fund—state appropriation for fiscal year 2025 are provided solely for acquisition, transportation, archiving, and storage of the following two collections:

(a) A collection of artworks created by Harold Balazs;

(b) A collection of Southern Plateau tribal beadwork and culturally historic photographs.

SPECIAL APPROPRIATIONS

Sec. 701. 2023 c 475 s 701 (uncodified) is amended to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—
INFORMATION TECHNOLOGY INVESTMENT POOL**

General Fund—State Appropriation (FY 2024)....	\$26,470,000
General Fund—State Appropriation (FY 2025).((\$9,022,000))	
	\$12,356,000
Other Appropriated Funds	((\$6,559,000))
	\$18,198,000
TOTAL APPROPRIATION.....	((\$42,051,000))
	\$57,024,000

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

(1) The appropriations are provided solely for expenditure into the information technology investment revolving account created in RCW 43.41.433. Amounts in the account are provided solely for the information technology projects shown in LEAP omnibus documents IT-2023, dated April 22, 2023, and IT-2024, dated March 4, 2024, which (~~is~~) are hereby incorporated by reference. To facilitate the transfer of moneys from other funds and accounts that are associated with projects contained in LEAP omnibus documents IT-2023, dated April 22, 2023, and IT-2024, dated March 4, 2024, the state treasurer is directed to transfer moneys from other funds and accounts to the information technology investment revolving account in accordance with schedules provided by the office of financial management. Restricted federal funds may be transferred only to the extent permitted by law, and will otherwise remain outside the information technology investment account. The projects affected remain subject to the other provisions of this section.

(2) Agencies must apply to the office of the chief information officer for certification and release of funding for each gate of the project. When the office of the chief information officer certifies the key deliverables of the gate have been met, a current technology budget is approved; and if applicable to the stage or gate of the project, that the project is putting functioning software into production that addresses user needs, is in compliance with the quality assurance plan, and meets a defined set of industry best practices for code quality that the office of the chief information officer will post to their website by July 1, 2023, it must notify the office of financial management and the fiscal committees of the legislature. The office of financial management may not approve funding for the certified project gate any earlier than ten business days from the date of notification to the fiscal committees of the legislature.

(3)(a) Allocations and allotments of information technology investment revolving account must be made for discrete stages of projects as determined by the technology budget approved by the office of the chief information officer and the office of financial management.

(b) Fifteen percent of total funding allocated by the office of financial management, or another amount as defined jointly by the office of financial management and the office of the chief information officer, will be retained in the account, but remain allocated to that project. The retained funding will be released to the agency only after successful completion of that stage of the project and only after the office of the chief information officer certifies the stage as required in subsection (2) of this section. For the one Washington project, the amount retained is increased to at least twenty percent of total funding allocated for any stage of that project. If there is no significant risk to the project, the holdback does not apply to the final gate during a biennial close.

(4)(a) Each project must have a technology budget. The technology budget must have the detail by fiscal month for the

2023-2025 fiscal biennium. The technology budget must use a method similar to the state capital budget, identifying project costs, each fund source, and anticipated deliverables through each stage of the entire project investment and across fiscal periods and biennia from project onset through implementation and close out, as well as at least five years of maintenance and operations costs.

(b) As part of the development of a technology budget and at each request for funding, the agency shall submit an updated technology budget, if changes occurred, to include detailed financial information to the office of financial management and the office of the chief information officer. The technology budget must describe the total cost of the project, as well as maintenance and operations costs, to include and identify at least:

(i) Fund sources:

(A) If the project is funded from the information technology revolving account, the technology budget must include a worksheet that provides the fund sources that were transferred into the account by fiscal year;

(B) If the project is by a central service agency, and funds are driven out by the central service model, the technology budget must provide a statewide impact by agency by fund as a worksheet in the technology budget file;

(ii) Full time equivalent staffing level to include job classification assumptions. This is to assure that the project has adequate state staffing and agency support to ensure success, ensure user acceptance, and adequately test the functionality being delivered in each sprint before it is accepted by the agency's contracting officer or their representative. Key project functions that are deemed "critical" must be retained by state personnel and not outsourced, to ensure that knowledge is retained within state government and that the state can self-sufficiently support the system and make improvements without long-term dependence on a vendor;

(iii) Discrete financial budget codes to include at least the appropriation index and program index;

(iv) Object and subobject codes of expenditures;

(v) Anticipated deliverables to include software demonstration dates;

(vi) Historical budget and expenditure detail by fiscal year; and

(vii) Maintenance and operations costs by fiscal year for at least five years as a separate worksheet.

(c) If a project technology budget changes and a revised technology budget is completed, a comparison of the revised technology budget to the last approved technology budget must be posted to the dashboard, to include a narrative rationale on what changed, why, and how that impacts the project in scope, budget, and schedule.

(5)(a) Each project must have a project charter. The charter must include:

(i) An organizational chart of the project management team that identifies team members and their roles and responsibilities, and shows that the project is adequately staffed by state personnel in key functions to ensure success;

(ii) The office of the chief information officer staff assigned to the project;

(iii) A project roadmap that includes the problems the team is solving and the sequence in which the team intends to take on those problems, updated periodically to reflect what has been learned;

(iv) Metrics to support the project strategy and vision, to determine that the project is incrementally meeting user needs;

(v) An implementation schedule covering activities, critical milestones, and deliverables at each stage of the project for the life of the project at each agency affected by the project;

(vi) Performance measures used to determine that the project is

on time, within budget, and meeting expectations for quality of work product;

(vii) Ongoing maintenance and operations cost of the project post implementation and close out delineated by agency staffing, contracted staffing, and service level agreements; and

(viii) Financial budget coding to include at least discrete financial coding for the project.

(b) If required by the office of the chief information officer, a project may also need to have an investment plan. The office of the chief information officer must:

(i) Base the requirement of an agency needing to have an investment plan on the complexity and risk of the project;

(ii) Establish requirements by project risk level in statewide technology policy, and publish the requirements by September 30, 2023; and

(iii) In collaboration with the department of enterprise services, define the circumstances under which the vendor will be terminated or replaced and establish the process by which the agency will transition to a new vendor with a minimal reduction in project productivity.

(6)(a) Projects with estimated costs greater than \$100,000,000 from initiation to completion and implementation may be divided into discrete subprojects as determined by the office of the chief information officer, except for the one Washington project which must be divided into the following discrete subprojects: Core financials, expanding financials and procurement, budget, and human resources. Each subproject must have a technology budget as provided in this section.

(b) If the project affects more than one agency:

(i) A separate technology budget and investment plan must be prepared by each agency; and

(ii) There must be a budget roll up that includes each affected agency at the subproject level.

(7) The office of the chief information officer shall maintain a statewide information technology project dashboard that provides updated information each fiscal month on projects subject to this section. The statewide dashboard must meet the requirements in section 155 of this act.

(8) For any project that exceeds \$2,000,000 in total funds to complete, requires more than one biennium to complete, or is financed through financial contracts, bonds, or other indebtedness:

(a) Independent quality assurance services for the project must report independently to the office of the chief information officer;

(b) The office of the chief information officer, based on project risk assessments, may require additional quality assurance services and independent verification and validation services;

(c) The office of the chief information officer must review, and, if necessary, revise the proposed project to ensure it is flexible and adaptable to advances in technology;

(d) The technology budget must specifically identify the uses of any financing proceeds. No more than thirty percent of the financing proceeds may be used for payroll-related costs for state employees assigned to project management, installation, testing, or training;

(e) The agency must consult with the office of the state treasurer during the competitive procurement process to evaluate early in the process whether products and services to be solicited and the responsive bids from a solicitation may be financed;

(f) The agency must consult with the contracting division of the department of enterprise services for a review of all contracts and agreements related to the project's information technology procurements;

(g) The agency and project must use an agile development model holding live demonstrations of functioning software, developed using incremental user research, held at the end of

every two-week sprint, except for:

(i) Hardware or infrastructure projects; and

(ii) Projects that have implemented all phases and are now in maintenance and operations;

(h) The project solution must be capable of being continually updated, as necessary; and

(i) The agency and project must deploy usable functionality into production for users within 180 days from the date of an executed procurement contract in response to a competitive request for proposal.

(9) The office of the chief information officer must evaluate the project at each stage and certify whether the project is putting functioning software into production that addresses user needs, is projected to be completed within budget, is in compliance with the quality assurance plan, and meets a defined set of industry best practices for code quality, and whether the project is planned, managed, and meeting deliverable targets as defined in the project's approved technology budget and investment plan.

(10) The office of the chief information officer may suspend or terminate a project at any time if it determines that the project is not meeting or not expected to meet anticipated performance and technology outcomes. Once suspension or termination occurs, the agency shall unallot any unused funding and shall not make any expenditure for the project without the approval of the office of financial management. The office of the chief information officer must report on December 1 each calendar year any suspension or termination of a project in the previous 12-month period to the legislative fiscal committees.

(11) The office of the chief information officer, in consultation with the office of financial management, may identify additional projects to be subject to this section, including projects that are not separately identified within an agency budget. The office of the chief information officer must report on December 1 each calendar year any additional projects to be subjected to this section that were identified in the previous 12-month period to the legislative fiscal committees.

(12) Any cost to administer or implement this section for projects listed in subsection (1) of this section, must be paid from the information technology investment revolving account. For any other information technology project made subject to the conditions, limitations, and review of this section, the cost to implement this section must be paid from the funds for that project.

(13) The following information technology projects are subject to the conditions, limitations, and review of this section:

(a) The state network firewall replacement of the consolidated technology services agency;

(b) The resident portal of the consolidated technology services agency; and

(c) The resident identity and access management modernization project of the consolidated technology services agency.

Sec. 702. 2023 c 475 s 702 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT SUBJECT TO THE DEBT LIMIT

General Fund—State Appropriation	(FY 2024)
.....	(\$1,419,445,000)
	<u>\$1,401,902,000</u>
General Fund—State Appropriation	(FY 2025)
.....	(\$1,549,610,000)
	<u>\$1,471,521,000</u>
State Building Construction Account—State	
Appropriation	(\$14,092,000)

\$20,863,000

Columbia River Basin Water Supply Development

Account—State Appropriation \$3,000

Watershed Restoration and Enhancement Bond Account—

State Appropriation.....(~~(\$204,000)~~)

\$64,000

State Taxable Building Construction Account—State

Appropriation..... \$876,000

Debt-Limit Reimbursable Bond Retirement Account—

State Appropriation..... \$119,000

TOTAL APPROPRIATION.....(~~(\$2,984,346,000)~~)

\$2,895,348,000

The appropriations in this section are subject to the following conditions and limitations: The general fund appropriations are for expenditure into the debt-limit general fund bond retirement account.

Sec. 703. 2023 c 475 s 703 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR GENERAL OBLIGATION DEBT TO BE REIMBURSED AS PRESCRIBED BY STATUTE

Nondebt-Limit Reimbursable Bond Retirement Account—

State Appropriation.....(~~(\$51,730,000)~~)

\$51,761,000

School Construction and Skill Centers Building

Account—State Appropriation \$4,000

TOTAL APPROPRIATION.....(~~(\$51,730,000)~~)

\$51,765,000

The appropriation in this section is subject to the following conditions and limitations: The general fund appropriation is for expenditure into the nondebt limit general fund bond retirement account.

Sec. 704. 2023 c 475 s 704 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES

General Fund—State Appropriation (FY 2024)..... \$1,400,000

General Fund—State Appropriation (FY 2025)..... \$1,400,000

State Building Construction Account—State

Appropriation.....(~~(\$2,821,000)~~)

\$3,921,000

Watershed Restoration and Enhancement Bond Account—

State Appropriation.....(~~(\$44,000)~~)

\$24,000

State Taxable Building Construction Account—State

Appropriation..... \$176,000

Columbia River Basin Water Supply Development

Account—State Appropriation \$1,000

School Construction and Skill Centers Building

Account—State Appropriation \$1,000

TOTAL APPROPRIATION.....(~~(\$5,841,000)~~)

\$6,923,000

Sec. 705. 2023 c 475 s 705 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—GOVERNOR'S EMERGENCY FUNDING

General Fund—State Appropriation (FY 2024).(~~(\$3,500,000)~~)

\$5,000,000

General Fund—State Appropriation (FY 2025)..... \$3,500,000

TOTAL APPROPRIATION.....(~~(\$7,000,000)~~)

\$8,500,000

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

(1) (~~(\$1,000,000)~~) \$1,500,000 of the general fund—state appropriation for fiscal year 2024 and \$1,000,000 of the general fund—state appropriation for fiscal year 2025 are provided for the critically necessary work of any state agency in the event of an emergent or unforeseen circumstance. Prior to the allocation of funding from this subsection (1), the requesting agency and the office of financial management must comply with the provisions of RCW 43.88.250.

(2) (~~(\$2,500,000)~~) \$3,500,000 of the general fund—state appropriation for fiscal year 2024 and \$2,500,000 of the general fund—state appropriation for fiscal year 2025 are provided for individual assistance consistent with RCW 38.52.030(9) during an emergency proclaimed by the governor, as defined in RCW 38.52.010. The office of financial management must notify the fiscal committees of the legislature of the receipt by the governor or adjutant general of each application (~~(or)~~) request, or allocation for individual assistance from the amounts provided in this subsection (2). (~~The office of financial management may not approve or release funding for 10 business days from the date of notification to the fiscal committees of the legislature.~~)

Sec. 706. 2023 c 475 s 717 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—STATE HEALTH CARE AFFORDABILITY ACCOUNT

General Fund—State Appropriation (FY 2024) \$55,000,000

General Fund—State Appropriation (FY 2025)

..... (~~(\$30,000,000)~~)

\$45,000,000

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

\$100,000,000

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

(1) The appropriations are provided solely for expenditure into the state health care affordability account created in RCW 43.71.130.

(2) It is the intent of the legislature to continue the policy of expending \$5,000,000 into the account each fiscal year in future biennia for the purpose of funding premium assistance for customers ineligible for federal premium tax credits who meet the eligibility criteria established in section 214(4)(a) of this act. Future expenditures into the account are contingent upon approval of the waiver described in RCW 43.71.120.

NEW SECTION. Sec. 707. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR SUNDRY CLAIMS**

The following sums, or so much thereof as may be necessary, are appropriated from the general fund for fiscal year 2024, unless otherwise indicated, for relief of various individuals, firms, and corporations for sundry claims.

These appropriations are to be disbursed on vouchers approved by the director of the department of enterprise services, except as otherwise provided, for reimbursement of criminal defendants acquitted on the basis of self-defense, pursuant to RCW 9A.16.110, as follows:

(1) Clifford T. Snow, claim number 9991014081 \$13,659

(2) Shanna S. Parker, claim number 9991013694 \$14,913

(3) Leah M. Eggleston, claim number 9991013115 \$20,852

(4) Shannon E. Garner, claim number 9991013103 \$15,325

(5) Stephanie S. Westby, claim number 9991012517 \$199,459

(6) Clyde E. McCoy, claim number 9991014232 \$139

(7) Kevin R. Ash, claim number 9991014512 \$14,810

(8) Kenneth M. Salazar, claim number 9991014683 . \$231,920

(9) Victor O. Alejandro-Mejia, claim number 9991014791

..... \$213,298

(10) James K. Warren, claim number 9991014924.....\$20,844
 (11) Marcus Buchanan, claim number 9991015324 \$71,102
 (12) Lawrence Connor Norton, claim number 9991015445
 \$110,000

(13) Abdifatah Abshir, claim number 9991015447\$55,000
Sec. 708. 2023 c 475 s 710 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—COUNTY CLERK LEGAL FINANCIAL OBLIGATION GRANTS

General Fund—State Appropriation (FY 2024)..... \$541,000
 General Fund—State Appropriation (FY 2025)....(~~(\$441,000)~~)
\$800,000
 TOTAL APPROPRIATION.....(~~(\$982,000)~~)
\$1,341,000

The appropriations in this section are subject to the following conditions and limitations: By October 1st of each fiscal year, the state treasurer shall distribute the appropriations to the following county clerk offices in the amounts designated as grants for the collection of legal financial obligations pursuant to RCW 2.56.190:

County Clerk	FY 2024	FY 2025
Adams County Clerk	\$2,103	((\$1,714)) <u>\$3,109</u>
Asotin County Clerk	\$2,935	((\$2,392)) <u>\$4,339</u>
Benton County Clerk	\$18,231	((\$14,858)) <u>\$26,953</u>
Chelan County Clerk	\$7,399	((\$6,030)) <u>\$10,939</u>
Clallam County Clerk	\$5,832	((\$4,753)) <u>\$8,622</u>
Clark County Clerk	\$32,635	((\$26,597)) <u>\$48,249</u>
Columbia County Clerk	\$384	((\$313)) <u>\$568</u>
Cowlitz County Clerk	\$16,923	((\$13,792)) <u>\$25,020</u>
Douglas County Clerk	\$3,032	((\$2,471)) <u>\$4,483</u>
Ferry County Clerk	\$422	((\$344)) <u>\$624</u>
Franklin County Clerk	\$5,486	((\$4,471)) <u>\$8,111</u>
Garfield County Clerk	\$243	((\$198)) <u>\$359</u>
Grant County Clerk	\$10,107	((\$8,237)) <u>\$14,942</u>
Grays Harbor County Clerk	\$8,659	((\$7,057)) <u>\$12,802</u>
Island County Clerk	\$3,059	((\$2,493)) <u>\$4,523</u>
Jefferson County Clerk	\$1,859	((\$1,515)) <u>\$2,748</u>
King County Court Clerk	\$119,290	((\$97,266)) <u>\$176,446</u>
Kitsap County Clerk	\$22,242	((\$18,127)) <u>\$32,883</u>
Kittitas County Clerk	\$3,551	((\$2,894))

Klickitat County Clerk	\$2,151	((\$1,753)) <u>\$3,180</u>
Lewis County Clerk	\$10,340	((\$8,427)) <u>\$15,287</u>
Lincoln County Clerk	\$724	((\$590)) <u>\$1,070</u>
Mason County Clerk	\$5,146	((\$4,194)) <u>\$7,608</u>
Okanogan County Clerk	\$3,978	((\$3,242)) <u>\$5,881</u>
Pacific County Clerk	\$2,411	((\$1,965)) <u>\$3,565</u>
Pend Oreille County Clerk	\$611	((\$498)) <u>\$903</u>
Pierce County Clerk	\$77,102	((\$62,837)) <u>\$113,990</u>
San Juan County Clerk	\$605	((\$493)) <u>\$894</u>
Skagit County Clerk	\$11,059	((\$9,013)) <u>\$16,350</u>
Skamania County Clerk	\$1,151	((\$938)) <u>\$1,702</u>
Snohomish County Clerk	\$38,143	((\$31,086)) <u>\$56,392</u>
Spokane County Clerk	\$44,825	((\$36,578)) <u>\$66,355</u>
Stevens County Clerk	\$2,984	((\$2,432)) <u>\$4,412</u>
Thurston County Clerk	\$22,204	((\$18,096)) <u>\$32,827</u>
Wahkiakum County Clerk	\$400	((\$326)) <u>\$591</u>
Walla Walla County Clerk	\$4,935	((\$4,022)) <u>\$7,296</u>
Whatcom County Clerk	\$20,728	((\$16,893)) <u>\$30,645</u>
Whitman County Clerk	\$2,048	((\$1,669)) <u>\$3,028</u>
Yakima County Clerk	\$25,063	((\$20,426)) <u>\$37,054</u>
TOTAL APPROPRIATIONS	\$541,000	((\$441,000)) <u>\$800,000</u>

Sec. 709. 2023 c 475 s 715 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—ANDY HILL CANCER RESEARCH ENDOWMENT FUND MATCH TRANSFER ACCOUNT

General Fund—State Appropriation (FY 2024) \$684,000
 General Fund—State Appropriation (FY 2025) \$2,486,000
 TOTAL APPROPRIATION (~~(\$684,000)~~)
\$3,170,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Andy Hill cancer research endowment fund match transfer account per RCW 43.348.080 to fund the Andy Hill cancer research endowment program. Matching funds

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using the amounts appropriated in this section may not be used to fund new grants that exceed two years in duration.

Sec. 710. 2023 c 475 s 726 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—LANDLORD MITIGATION PROGRAM ACCOUNT

General Fund—State Appropriation (FY 2024).....	\$8,000,000
<u>General Fund—State Appropriation (FY 2025).....</u>	<u>\$3,750,000</u>
TOTAL APPROPRIATION.....	(\$8,000,000)
	<u>\$11,750,000</u>

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the landlord mitigation program account created in RCW 43.31.615.

Sec. 711. 2023 c 475 s 727 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—CONTRIBUTIONS TO RETIREMENT SYSTEMS

(1) The appropriations in this section are subject to the following conditions and limitations: The appropriations for the law enforcement officers' and firefighters' retirement system shall be made on a monthly basis consistent with chapter 41.45 RCW, and the appropriations for the judges and judicial retirement systems shall be made on a quarterly basis consistent with chapters 2.10 and 2.12 RCW.

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

General Fund—State Appropriation (FY 2024)	(\$88,700,000)
	<u>\$94,400,000</u>
General Fund—State Appropriation (FY 2025)	(\$92,600,000)
	<u>\$98,600,000</u>
TOTAL APPROPRIATION.....	(\$181,300,000)
	<u>\$193,000,000</u>

(3) There is appropriated for contributions to the judicial retirement system:

General Fund—State Appropriation (FY 2024).....	\$6,300,000
General Fund—State Appropriation (FY 2025).....	\$6,000,000
TOTAL APPROPRIATION.....	\$12,300,000

(4) There is appropriated for contributions to the judges' retirement system:

General Fund—State Appropriation (FY 2024).....	\$300,000
General Fund—State Appropriation (FY 2025).....	\$300,000
TOTAL APPROPRIATION.....	\$600,000

Sec. 712. 2023 c 475 s 734 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STUDENT ACHIEVEMENT COUNCIL—RURAL JOBS PROGRAM MATCH TRANSFER ACCOUNT

Workforce Education Investment Account—State	
Appropriation.....	(\$400,000)
	<u>\$404,000</u>
TOTAL APPROPRIATION.....	(\$400,000)
	<u>\$404,000</u>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the rural jobs program match transfer account created in RCW 28B.145.120.

Sec. 713. 2023 c 475 s 735 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STUDENT ACHIEVEMENT COUNCIL—OPPORTUNITY SCHOLARSHIP MATCH TRANSFER ACCOUNT

Workforce Education Investment Account—State	
Appropriation.....	(\$11,600,000)
	<u>\$14,856,000</u>
TOTAL APPROPRIATION.....	(\$11,600,000)
	<u>\$14,856,000</u>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the opportunity scholarship match transfer account created in RCW 28B.145.050.

Sec. 714. 2023 c 475 s 740 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON STATE LEADERSHIP BOARD ACCOUNT

General Fund—State Appropriation (FY 2024) ...	(\$843,000)
	<u>\$887,000</u>
General Fund—State Appropriation (FY 2025) ...	(\$848,000)
	<u>\$971,000</u>
TOTAL APPROPRIATION.....	(\$1,691,000)
	<u>\$1,858,000</u>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the Washington state leadership board account created in RCW 43.388.020.

Sec. 715. 2023 c 475 s 747 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—CRIME VICTIM AND WITNESS ASSISTANCE ACCOUNT

General Fund—State Appropriation (FY 2024) ...	(\$2,000,000)
	<u>\$4,000,000</u>
General Fund—State Appropriation (FY 2025) ...	(\$2,000,000)
	<u>\$4,000,000</u>
TOTAL APPROPRIATION.....	(\$4,000,000)
	<u>\$8,000,000</u>

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the state crime victim and witness assistance account created in Engrossed Substitute House Bill No. 1169 (legal financial obligations). ~~(If the bill is not enacted by June 30, 2023, the amounts appropriated in this section shall lapse.)~~

Sec. 716. 2023 c 475 s 745 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON HORSE RACING COMMISSION OPERATING ACCOUNT

Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation.....	\$1,150,000
<u>General Fund—State Appropriation (FY 2025).....</u>	<u>\$1,350,000</u>
TOTAL APPROPRIATION.....	(\$1,150,000)
	<u>\$2,500,000</u>

The appropriations in this section are subject to the following conditions and limitations: The ~~(appropriation is)~~ appropriations are provided solely for expenditure into the Washington horse racing commission operating account created in RCW 67.16.280.

NEW SECTION. Sec. 717. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—CORONAVIRUS STATE FISCAL RECOVERY**

Coronavirus State Fiscal Recovery Fund—Federal	
Appropriation.....	\$250,000,000
TOTAL APPROPRIATION.....	\$250,000,000

The appropriation in this section is subject to the following conditions and limitations: The entire coronavirus state fiscal

recovery fund—federal appropriation is provided solely to the office of financial management for allocation to state agencies for costs eligible to be paid from the coronavirus state fiscal recovery fund and where funding is provided elsewhere in this act or the capital omnibus appropriations act for those costs using a funding source other than the coronavirus state fiscal recovery fund. For any agency receiving an allocation under this section, the office must place an equal amount of the agency's state or other source appropriation authority in unallotted reserve status, and those amounts may not be expended. In determining the use of amounts appropriated in this section, the office of financial management shall prioritize the preservation of state general fund moneys. The office must report on the use of the amounts appropriated in this section to the fiscal committees of the legislature when all coronavirus state fiscal recovery fund moneys are expended or June 30, 2025, whichever is earlier.

NEW SECTION. Sec. 718. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—SKELETAL HUMAN REMAINS ASSISTANCE ACCOUNT**

General Fund—State Appropriation (FY 2025)..... \$500,000
TOTAL APPROPRIATION..... \$500,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the skeletal human remains assistance account created in RCW 43.334.077.

NEW SECTION. Sec. 719. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—SURGICAL SMOKE EVACUATION ACCOUNT**

General Fund—State Appropriation (FY 2025)..... \$300,000
TOTAL APPROPRIATION..... \$300,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the surgical smoke evacuation account created in RCW 49.17.505.

NEW SECTION. Sec. 720. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—WASHINGTON STATE LIBRARY OPERATIONS ACCOUNT**

General Fund—State Appropriation (FY 2025)..... \$2,000,000
TOTAL APPROPRIATION..... \$2,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the Washington state library operations account created in RCW 43.07.129.

NEW SECTION. Sec. 721. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—QUENDALL TERMINALS SUPERFUND SITE ON LAKE WASHINGTON**

Model Toxics Control Operating Account—State
Appropriation..... \$8,500,000
TOTAL APPROPRIATION..... \$8,500,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is for the remedial design for the Quendall terminals superfund site on Lake Washington. Expenditure of the appropriation is conditioned on reaching agreement with the environmental protection agency that offsets any money spent from this appropriation against any future state liability, and memorializing the agreement in an agreed order, settlement agreement, or other similar document.

NEW SECTION. Sec. 722. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—DOWN PAYMENT**

ASSISTANCE ACCOUNT

General Fund—State Appropriation (FY 2025) \$250,000
TOTAL APPROPRIATION \$250,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the down payment assistance account created in RCW 82.45.240.

NEW SECTION. Sec. 723. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—LEGISLATIVE ORAL HISTORY ACCOUNT**

General Fund—State Appropriation (FY 2025) \$50,000
TOTAL APPROPRIATION \$50,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the legislative oral history account created in RCW 44.04.345.

NEW SECTION. Sec. 724. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—PORT DISTRICT EQUITY FUND**

General Fund—State Appropriation (FY 2025) \$1,000,000
TOTAL APPROPRIATION \$1,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the port district equity fund created in Engrossed Second Substitute Senate Bill No. 5955 (large port districts). If the bill is not enacted by June 30, 2024, the amount appropriated in this section shall lapse.

NEW SECTION. Sec. 725. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—HEALTH PROFESSIONS ACCOUNT**

Opioid Abatement Settlement Account—State
Appropriation \$743,000
TOTAL APPROPRIATION \$743,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the health professions account created in RCW 43.70.320 to implement Second Substitute Senate Bill No. 6228 (substance use treatment). If the bill is not enacted by June 30, 2024, the amounts appropriated in this section shall lapse.

NEW SECTION. Sec. 726. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—BUSINESS ENTERPRISES REVOLVING ACCOUNT**

General Fund—State Appropriation (FY 2024) \$83,000
General Fund—State Appropriation (FY 2025) \$85,000
TOTAL APPROPRIATION \$168,000

The appropriations in this section are subject to the following conditions and limitations: The appropriations are provided solely for expenditure into the business enterprises revolving account created in RCW 74.18.230. Funds in this section are provided solely for rent fees and charges for blind business enterprise program licensees at state off-campus facilities.

NEW SECTION. Sec. 727. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—AGRICULTURAL PEST AND DISEASE RESPONSE ACCOUNT**

General Fund—State Appropriation (FY 2025) \$1,000,000
TOTAL APPROPRIATION \$1,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation is provided solely for expenditure into the agricultural pest and disease response account created in Substitute House Bill No. 2147 (agriculture pests & diseases). If the bill is not enacted by June 30, 2024, the

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amounts appropriated in this section shall lapse.

NEW SECTION. Sec. 728. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—CLIMATE INVESTMENT ACCOUNT**

(1) If Initiative Measure No. 2117 is approved in the 2024 general election, on the effective date of Initiative Measure No. 2117 and prior to the repeal of the climate investment account by Initiative Measure No. 2117, \$800,000,000 is appropriated from the climate investment account for deposit into the consolidated climate account created in section 907 of this act. If the balance of the climate investment account on the effective date of Initiative Measure No. 2117 is less than \$800,000,000, then the amount appropriated is the balance of the climate investment account on the effective date of the initiative.

(2)(a) This section takes effect on the effective date of Initiative Measure No. 2117 if the initiative is approved in the 2024 general election.

(b) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

NEW SECTION. Sec. 729. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—CLIMATE COMMITMENT ACCOUNT**

(1) If Initiative Measure No. 2117 is approved in the 2024 general election, on the effective date of Initiative Measure No. 2117 and prior to the repeal of the climate commitment account by Initiative Measure No. 2117, \$1,600,000,000 is appropriated from the climate commitment account for deposit into the consolidated climate account created in section 907 of this act. If the balance of the climate commitment account on the effective date of Initiative Measure No. 2117 is less than \$1,600,000,000, then the amount appropriated is the balance of the climate commitment account on the effective date of the initiative.

(2)(a) This section takes effect on the effective date of Initiative Measure No. 2117 if the initiative is approved in the 2024 general election.

(b) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

NEW SECTION. Sec. 730. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—NATURAL CLIMATE SOLUTIONS ACCOUNT**

(1) If Initiative Measure No. 2117 is approved in the 2024 general election, on the effective date of Initiative Measure No. 2117 and prior to the repeal of the natural climate solutions account by Initiative Measure No. 2117, \$600,000,000 is appropriated from the natural climate solutions account for deposit into the consolidated climate account created in section 907 of this act. If the balance of the natural climate solutions account on the effective date of Initiative Measure No. 2117 is less than \$600,000,000, then the amount appropriated is the balance of the natural climate solutions account on the effective date of the initiative.

(2)(a) This section takes effect on the effective date of Initiative Measure No. 2117 if the initiative is approved in the 2024 general election.

(b) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

NEW SECTION. Sec. 731. A new section is added to 2023 c 475 (uncodified) to read as follows: **FOR THE OFFICE OF FINANCIAL MANAGEMENT—AIR QUALITY AND HEALTH DISPARITIES IMPROVEMENT ACCOUNT**

(1) If Initiative Measure No. 2117 is approved in the 2024 general election, on the effective date of Initiative Measure No.

2117 and prior to the repeal of the air quality and health disparities improvement account by Initiative Measure No. 2117, \$25,000,000 is appropriated from the air quality and health disparities improvement account for deposit into the consolidated climate account created in section 907 of this act. If the balance of the air quality and health disparities improvement account on the effective date of Initiative Measure No. 2117 is less than \$25,000,000, then the amount appropriated is the balance of the air quality and health disparities improvement account on the effective date of the initiative.

(2)(a) This section takes effect on the effective date of Initiative Measure No. 2117 if the initiative is approved in the 2024 general election.

(b) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

**PART VIII
OTHER TRANSFERS AND APPROPRIATIONS**

Sec. 801. 2023 c 475 s 801 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premium distributions	(\$13,766,000)
	<u>\$14,606,000</u>
General Fund Appropriation for prosecuting attorney distributions.....	(\$8,284,000)
	<u>\$8,690,000</u>
General Fund Appropriation for boating safety and education distributions	\$4,272,000
General Fund Appropriation for public utility district excise tax distributions	(\$71,825,000)
	<u>\$71,424,000</u>
Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies.....	(\$4,947,000)
	<u>\$6,000,000</u>
Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distributions.....	\$140,000
Timber Tax Distribution Account Appropriation for distribution to "timber" counties.....	(\$82,143,000)
	<u>\$92,948,000</u>
County Criminal Justice Assistance Appropriation	(\$129,509,000)
	<u>\$129,925,000</u>
Municipal Criminal Justice Assistance Appropriation	(\$51,247,000)
	<u>\$51,744,000</u>
City-County Assistance Appropriation.....	(\$45,960,000)
	<u>\$34,604,000</u>
Liquor Excise Tax Account Appropriation for liquor excise tax distribution.....	\$89,385,000
Columbia River Water Delivery Account Appropriation for the Confederated Tribes of the Colville Reservation.....	\$9,587,000
Columbia River Water Delivery Account Appropriation for the Spokane Tribe of Indians	(\$6,893,000)
	<u>\$6,919,000</u>
Liquor Revolving Account Appropriation for liquor profits distribution	\$98,876,000
General Fund Appropriation for other tax distributions.....	\$104,000
Dedicated Cannabis Account Appropriation for Cannabis Excise Tax distributions pursuant to Engrossed Second Substitute Senate Bill No. 5796 (cannabis revenue). This includes an	

increase of \$1,178,000 which is an adjustment for distributions made in fiscal year 2022......~~(\$50,472,000)~~
\$47,216,000

General Fund Appropriation for Habitat Conservation Program distributions..... \$5,754,000

General Fund Appropriation for payment in lieu of taxes to counties under Department of Fish and Wildlife Program \$4,496,000

Puget Sound Taxpayer Accountability Account Appropriation for distribution to counties in amounts not to exceed actual deposits into the account and attributable to those counties' share pursuant to RCW 43.79.520.~~(\$27,990,000)~~
\$28,630,000

Manufacturing and Warehousing Job Centers Account Appropriation for distribution to local taxing jurisdictions to mitigate the unintended revenue redistributions effect of sourcing law changes pursuant to chapter 83, Laws of 2021 (warehousing & manufacturing jobs). \$7,780,000

State Crime Victim and Witness Assistance Account Appropriation for distribution to counties. (~~If Engrossed Substitute House Bill No. 1169 is not enacted by June 30, 2023, this amount shall lapse.~~)~~(\$4,000,000)~~
\$8,000,000

TOTAL APPROPRIATION.....~~(\$717,430,000)~~
\$721,100,000

The total expenditures from the state treasury under the appropriations in this section shall not exceed the funds available under statutory distributions for the stated purposes.

Sec. 802. 2023 c 475 s 802 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—FOR THE COUNTY CRIMINAL JUSTICE ASSISTANCE ACCOUNT

Impaired Driving Safety Appropriation~~(\$2,065,000)~~
\$1,615,000

TOTAL APPROPRIATION.....~~(\$2,065,000)~~
\$1,615,000

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2023-2025 fiscal biennium in accordance with RCW 82.14.310. This funding is provided to counties for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

Sec. 803. 2023 c 475 s 803 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—MUNICIPAL CRIMINAL JUSTICE ASSISTANCE ACCOUNT

Impaired Driving Safety Appropriation~~(\$1,377,000)~~
\$1,077,000

TOTAL APPROPRIATION.....~~(\$1,377,000)~~
\$1,077,000

The appropriation in this section is subject to the following conditions and limitations: The amount appropriated in this section shall be distributed quarterly during the 2023-2025 fiscal biennium to all cities ratably based on population as last determined by the office of financial management. The

distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), shall be made to the county in which the city is located. This funding is provided to cities for the costs of implementing criminal justice legislation including, but not limited to: Chapter 206, Laws of 1998 (drunk driving penalties); chapter 207, Laws of 1998 (DUI penalties); chapter 208, Laws of 1998 (deferred prosecution); chapter 209, Laws of 1998 (DUI/license suspension); chapter 210, Laws of 1998 (ignition interlock violations); chapter 211, Laws of 1998 (DUI penalties); chapter 212, Laws of 1998 (DUI penalties); chapter 213, Laws of 1998 (intoxication levels lowered); chapter 214, Laws of 1998 (DUI penalties); and chapter 215, Laws of 1998 (DUI provisions).

Sec. 804. 2023 c 475 s 805 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

Dedicated Cannabis Account: For transfer to the basic health plan trust account, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2024, ~~(\$269,000,000)~~ \$250,000,000 and this amount for fiscal year 2025, ~~(\$278,000,000)~~ \$250,000,000..... ~~(\$547,000,000)~~
\$500,000,000

Dedicated Cannabis Account: For transfer to the state general fund, the lesser of the amount determined pursuant to RCW 69.50.540 or this amount for fiscal year 2024, ~~(\$162,000,000)~~ \$155,000,000 and this amount for fiscal year 2025, ~~(\$172,000,000)~~ \$155,000,000..... ~~(\$334,000,000)~~
\$310,000,000

Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2024.....\$92,000,000

Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the annual base payment to the tobacco settlement account for fiscal year 2025.....\$92,000,000

~~(Tobacco Settlement Account: For transfer to the state general fund, in an amount not to exceed the actual amount of the tobacco arbitration payment to the tobacco settlement account, for fiscal year 2024 \$24,500,000)~~

State Treasurer's Service Account: For transfer to the state general fund, \$15,000,000 for fiscal year 2024 and \$15,000,000 for fiscal year 2025.

It is the intent of the legislature to continue this policy in the subsequent fiscal biennium.\$30,000,000

General Fund: For transfer to the fair fund under RCW 15.76.115, \$3,500,000 for fiscal year 2024 and \$3,500,000 for fiscal year 2025 \$7,000,000

Financial Services Regulation Account: For transfer to the state general fund, \$3,500,000 for fiscal year 2024 and \$3,500,000 for fiscal year 2025. It is the intent of the legislature to continue this policy in the subsequent fiscal biennium..... \$7,000,000

General Fund: For transfer to the wildfire response, forest restoration, and community resilience account, solely for the implementation of chapter 298, Laws of 2021 (2SHB 1168)

(long-term forest health), (~~(\$44,903,000)~~)
\$52,224,000 for fiscal year 2024 and
(~~(\$44,903,000)~~) \$56,725,000 for fiscal year
2025 (~~(\$89,806,000)~~)
\$108,949,000

Washington Rescue Plan Transition Account: For
transfer to the state general fund,
\$1,302,000,000 for fiscal year 2024 and
\$798,000,000 for fiscal year 2025 (~~(\$1,302,000,000)~~)
\$2,100,000,000

Business License Account: For transfer to the state
general fund, \$7,200,000 for fiscal year 2025..... \$7,200,000
General Fund: For transfer to the manufacturing and
warehousing job centers account pursuant to RCW
82.14.545 for distribution in section 801 of
this act, \$4,320,000 for fiscal year 2024 and
\$3,460,000 for fiscal year 2025 \$7,780,000

Long-Term Services and Supports Trust Account: For
transfer to the state general fund as full
repayment of the long-term services program
start-up costs and interest, in an amount not
to exceed the actual amount of the total
remaining principal and interest of the loan,
for fiscal year 2024 (~~(\$64,281,000)~~)
\$66,000,000

General Fund: For transfer to the forest resiliency
account trust fund, \$4,000,000 for fiscal year
2024 \$4,000,000

Water Pollution Control Revolving Administration
Account: For transfer to the water pollution
control revolving account, \$6,000,000 for
fiscal year 2024..... \$6,000,000

General Fund: For transfer to the salmon recovery
account, \$3,000,000 for fiscal year 2024 \$3,000,000

Washington Student Loan Account: For transfer to the
state general fund, \$40,000,000 for fiscal year
2024 and \$10,000,000 for fiscal year 2025 (~~(\$40,000,000)~~)
\$50,000,000

Model Toxics Control Operating Account: For transfer
to the state general fund, \$50,000,000 for
fiscal year 2025..... \$50,000,000

General Fund: For transfer to the home security
fund, \$44,500,000 for fiscal year 2024 and
\$4,500,000 for fiscal year 2025 \$49,000,000

General Fund: For transfer to the state drought
preparedness account, \$2,000,000 for fiscal
year 2024 \$2,000,000

General Fund: For transfer to the disaster response
account, \$12,500,000 for fiscal year 2024
and \$10,000,000 for fiscal year 2025..... \$22,500,000

From auction proceeds received under RCW
70A.65.100(7)(b): For transfer to the air
quality and health disparities improvement
account, \$2,500,000 for fiscal year 2024 \$2,500,000

From auction proceeds received under RCW
70A.65.100(7)(c): For transfer to the air
quality and health disparities improvement
account, \$2,500,000 for fiscal year 2025 \$2,500,000

Climate Investment Account: For transfer to the
carbon emissions reduction account,
\$200,000,000 for fiscal year 2025 no later
than October 15, 2024..... \$200,000,000

Climate Investment Account: For transfer to the
climate commitment account, (~~(\$100,000,000)~~)
\$170,000,000 for fiscal year 2025 (~~(\$100,000,000)~~)

Climate Investment Account: For transfer to the
natural climate solutions account, \$70,000,000
for fiscal year 2025.....\$70,000,000

Climate Investment Account: For transfer to the
carbon emissions reduction account,
\$324,000,000 on or after January 1, 2025 \$324,000,000

General Fund: For transfer to the death
investigations account, \$3,000,000 for fiscal
year 2024..... \$3,000,000

General Fund: For transfer to the local government
archives account, \$1,900,000 for fiscal year
2025..... \$1,900,000

Joint Legislative Systems Committee Subaccount of
the Savings Incentive Account: For transfer
to the general fund, \$819,000 for fiscal year
2024..... \$819,000

General Fund: For transfer to the motor vehicle
account—state, \$14,000,000 for fiscal year
2024..... \$14,000,000

General Fund: For transfer to the stadium world
cup capital account, \$10,000,000 for fiscal
year 2024..... \$10,000,000

**PART IX
MISCELLANEOUS**

NEW SECTION. Sec. 901. A new section is added to 2023
c 475 (uncodified) to read as follows: **COLLECTIVE
BARGAINING AGREEMENTS**

(1) In accordance with chapters 41.80 and 41.56 RCW,
agreements have been reached between the governor and
organizations representing state employee bargaining units and
nonstate employee bargaining units for the 2025 fiscal year
presented to the legislature during the 2024 legislative session.
Funding is not provided for compensation and fringe benefit
provisions not presented to the legislature by the end of the 2024
legislative session. Funding is approved for agreements and
awards with the following organizations:

- (a) Fish and wildlife officers guild;
- (b) Teamsters local 760, department of fish and wildlife
sergeants; and
- (c) Adult family home council, adult family home providers.

(2) In accordance with chapters 41.80 RCW, an agreement has
been reached between Central Washington University, an
institution of higher education, and an employee organization
representing state employee bargaining units for fiscal year 2025
and funding is provided in Part VI of this act for the agreement
with the following organization: Central Washington University
agreement with the campus police officers & sergeants.

(3) Expenditures for agreements in subsections (1) and (2) of
this section may also be funded from nonappropriated accounts.
If positions are funded with lidded grants or dedicated fund
sources with insufficient revenue, additional funding from other
sources is not provided.

Sec. 902. 2023 c 475 s 908 (uncodified) is amended to read
as follows:

**COMPENSATION—REPRESENTED EMPLOYEES—
HEALTH CARE COALITION—INSURANCE BENEFITS**

(1)(a) An agreement was reached for the 2023-2025 biennium
between the governor and the health care coalition under the
provisions of chapter 41.80 RCW. Appropriations in this act for
state agencies, including institutions of higher education, are
sufficient to implement the provisions of the 2023-2025 collective
bargaining agreement, which maintains the provisions of the prior
agreement.

(b) Appropriations for state agencies in this act are sufficient

for represented employees outside the coalition and for nonrepresented state employee health benefits.

(2) The appropriations for state agencies in this act are subject to the following conditions and limitations:

(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan, shall not exceed \$1,145 per eligible employee for fiscal year 2024. For fiscal year 2025, the monthly employer funding rate shall not exceed ~~(\$1,194)~~ \$1,170 per eligible employee. These rates are sufficient to separate vision benefits out of medical plans into stand-alone vision insurance and increase the hardware benefit to \$200 every two years, beginning January 1, 2025, and sufficient to cover in the uniform medical plan, effective July 1, 2023, coverage with no cost share for up to two over the counter COVID-19 tests for each member each month. The rates are sufficient to cover a diabetes management program and apply the cost-share provisions outlined in chapter 366, Laws of 2023 (breast examinations—health plan cost sharing) in the uniform medical plan, effective January 1, 2025. The rates are not sufficient to add coverage of prescription drugs for the treatment of obesity or weight loss. The authority shall not add coverage of prescription drugs for the treatment of obesity or weight loss without a specific appropriation from the legislature. Nothing in this section requires removal of any existing coverage of prescription drugs to treat diabetes.

(b) The board shall collect a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(c) The health care authority, subject to the approval of the public employees' benefits board, shall provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2024 and 2025, the subsidy shall be up to \$183 per month. Funds from reserves accumulated for future adverse claims experience, from past favorable claims experience, or otherwise, may not be used to increase this retiree subsidy beyond what is authorized in this subsection.

(d) School districts and educational service districts shall remit to the health care authority for deposit into the public employees' and retirees' insurance account established in RCW 41.05.120 the following amounts:

(i) For each full-time employee, \$68.41 per month beginning September 1, 2023, and ~~(\$78.58)~~ \$80.32 beginning September 1, 2024;

(ii) For each part-time employee, who at the time of the remittance is employed in an eligible position as defined in RCW 41.32.010 or 41.40.010 and is eligible for employer fringe benefit contributions for basic benefits, \$68.41 each month beginning September 1, 2023, and ~~(\$78.58)~~ \$80.32 beginning September 1, 2024, prorated by the proportion of employer fringe benefit contributions for a full-time employee that the part-time employee receives. The remittance requirements specified in this subsection do not apply to employees of a school district or educational service district who purchase insurance benefits through contracts with the health care authority.

(e) The board has the authority to forgo the federal retiree drug subsidy collected under RCW 41.05.068 for uniform medical plan

classic medicare, only to leverage additional federal subsidies via adoption of a medicare part D employer group waiver plan to help reduce premiums for medicare retirees enrolled in uniform medical plan classic medicare.

Sec. 903. 2023 c 475 s 909 (uncodified) is amended to read as follows:

COMPENSATION—SCHOOL EMPLOYEES—INSURANCE BENEFITS

An agreement was reached for the 2023-2025 biennium between the governor and the school employee coalition under the provisions of chapters 41.56 and 41.59 RCW. Appropriations in this act for allocations to school districts are sufficient to implement the provisions of the 2023-2025 collective bargaining agreement, which maintains the provisions of the prior agreement, and are subject to the following conditions and limitations:

(1) The monthly employer funding rate for insurance benefit premiums, school employees' benefits board administration, retiree remittance, and the uniform medical plan, shall not exceed the rates identified in section 506(4) of this act.

(a) These rates are sufficient to cover, effective January 1, 2024:

(i) The following in the uniform medical plan:

(A) Offering a diabetes management program; and

(B) Effective July 1, 2023, coverage with no cost share for up to two over the counter COVID-19 tests for each member each month; and

(ii) The following in the uniform dental plan:

(A) Increasing the temporomandibular joint benefit to \$1,000 annually and \$5,000 per lifetime;

(B) Eliminating the deductible for children up to age 15;

(C) Covering composite fillings on posterior teeth; and

(D) Increasing plan coverage of crowns to 70 percent.

(b) These rates include funding to cover, effective January 1, 2025, ~~(increasing)~~:

(i) Increasing the stand-alone vision insurance hardware benefit to \$200 every 2 years; and

(ii) Applying the cost share provisions outlined in chapter 366, Laws of 2023 (Substitute Senate Bill No. 5396) in the uniform medical plan.

(c) The rates are not sufficient to add coverage of prescription drugs for the treatment of obesity or weight loss. The authority shall not add coverage of prescription drugs for the treatment of obesity or weight loss without a specific appropriation from the legislature. Nothing in this section requires removal of any existing coverage of prescription drugs to treat diabetes.

(2) Rates established in subsection (1) of this section are sufficient to reduce member costs as provided in article 1.3 of the school employees health care funding agreement.

(3) Except as provided by the parties' health care agreement, in order to achieve the level of funding provided for health benefits, the school employees' benefits board shall require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.740. The board shall collect a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(4) The health care authority shall deposit any moneys received

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on behalf of the school employees' medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments, into the school employees' and retirees' insurance account to be used for insurance benefits. Such receipts may not be used for administrative expenditures.

(5) When bargaining for funding for school employees health benefits for subsequent fiscal biennia, any proposal agreed upon must assume the imposition of a \$25 per month surcharge payment from members who use tobacco products and a surcharge payment of not less than \$50 per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

Sec. 904. 2023 c 475 s 911 (uncodified) is amended to read as follows:

COMPENSATION—PENSION CONTRIBUTIONS

The appropriations in this act for school districts and state agencies, including institutions of higher education, are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect changes to agency appropriations to reflect pension contribution rates adopted by the pension funding council and the law enforcement officers' and firefighters' retirement system plan 2 board, and as adjusted under Engrossed Substitute Senate Bill No. 5294 (plan 1 UAAL rates).

(2) An increase of 0.12 percent is funded for state employer contributions to the public employees' retirement system, the public safety employees' retirement systems, and the school employees' retirement system, and an increase of 0.23 percent for employer contributions to the teachers' retirement system is funded for the provisions of Senate Bill No. 5350 (providing a benefit increase to certain retirees of the public employees' retirement system plan 1 and the teachers' retirement system plan 1). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for school districts and state agencies, including institutions of higher education, shall be held in unallotted status.

(3) An increase of 0.13 percent is funded for state employer contributions to the Washington state patrol retirement system and an increase of 0.01 percent is funded for state contributions to the law enforcement officers' and firefighters' retirement system plan 2 for the provisions of Substitute House Bill No. 1007 (military service credit). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

(4) An increase of 0.01 percent for school district and state employer contributions is funded for the teachers' retirement system for the provisions of Substitute House Bill No. 1056 (postretirement employment). If the bill is not enacted by June 30, 2023, this subsection is null and void and appropriations for state agencies shall be held in unallotted status.

(5) An increase of 0.13 percent is funded for state employer contributions to the public safety employees' retirement system for the provisions of chapter 199, Laws of 2023 (public safety telecommunicators).

(6) An increase of 0.04 percent is funded for state employer contributions to the public safety employees' retirement system for the provisions of Substitute Senate Bill No. 6106 (DSHS workers/PSERS). If the bill is not enacted by June 30, 2024, this subsection is null and void and appropriations for state agencies

shall be held in unallotted status.

(7) An increase of 0.08 percent is funded for state employer contributions to the public employees' retirement system, the public safety employees' retirement systems, and the school employees' retirement system, and an increase of 0.16 percent for employer contributions to the teachers' retirement system is funded for the provisions of Substitute House Bill No. 1985 (PERS/TRS 1 benefit increase). If the bill is not enacted by June 30, 2024, this subsection is null and void and appropriations for school districts and state agencies, including institutions of higher education, shall be held in unallotted status.

NEW SECTION. Sec. 905. A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) The office of financial management must convene a task force to identify, plan, and make recommendations on the conversion of the Larch corrections center property and facilities to an alternate use.

(2) The task force must include the state senator and a state representative whose district represents the Yacolt community.

(3) The task force must include representatives from the following entities and organizations:

- (a) The Clark county commissioners;
- (b) The tribe located nearest to the facility;
- (c) The Clark county sheriff's office;
- (d) A citizen residing near the Larch corrections center, chosen by the Clark county commissioners;
- (e) The department of corrections;
- (f) The department of ecology;
- (g) The department of natural resources;
- (h) The department of social and health services;
- (i) The department of enterprise services; and
- (j) The office of financial management.

(4) The task force must meet at least every other month, and the first meeting must be held by July 31, 2024.

(5) The task force shall report its findings and a prioritized list of recommendations to the governor and the fiscal committees of the legislature by June 30, 2025.

(6) Task force members that are not elected officials or a representative of a governmental entity may be reimbursed for travel expenses in accordance with chapter 43.03 RCW.

NEW SECTION. Sec. 906. A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) The task force on the underground economy in the Washington state construction industry is established.

(2) For purposes of this section, "underground economy" means contracting and construction activities in which payroll is unreported or underreported with consequent nonpayment of payroll taxes to federal and state agencies including nonpayment of workers' compensation and unemployment compensation taxes.

(3) The task force shall study the nature and scope of the underground economy and recommend what policy changes, if any, are needed to address the underground economy, including whether greater cohesion and transparency among state agencies is needed. To assist the task force in achieving this goal, the department of labor and industries may contract with the institute for public policy, or, if the institute is unavailable, another entity with expertise capable of providing such assistance.

(4)(a) The task force shall consist of the following members:

- (i) A member from each of the two largest caucuses of the senate appointed by the president of the senate;
- (ii) A member from each of the two largest caucuses of the house of representatives appointed by the speaker of the house of representatives;
- (iii) Four members representing the construction business,

selected from nominations submitted by statewide construction business organizations and appointed jointly by the president of the senate and the speaker of the house of representatives;

(iv) Four members representing construction workers, selected from nominations submitted by statewide labor organizations and appointed jointly by the president of the senate and the speaker of the house of representatives; and

(v) One representative from the office of the attorney general.

(b) In addition, the employment security department, the department of labor and industries, and the department of revenue shall cooperate with the task force and shall each maintain a liaison representative, who will be a nonvoting member of the task force. The departments shall cooperate with the task force and the institute for public policy, or other entity as appropriate, and shall provide information and data as the task force or the institute, or other entity as appropriate, may reasonably request.

(c) The task force will choose the chair or cochairs of the task force from among its membership at the initial meeting. The department of labor and industries is responsible for scheduling the initial meeting of the task force.

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

(b) The expenses of the task force will be paid by the department of labor and industries. Task force expenditures are subject to approval by the department of labor and industries.

(6) The task force shall report its findings and recommendations to the legislature by June 30, 2025.

NEW SECTION. Sec. 907. A new section is added to 2023 c 475 (uncodified) to read as follows:

(1) The consolidated climate account is created in the custody of the state treasurer. The account is subject to allotment procedures under chapter 43.88 RCW. Except as provided in subsection (2) of this section, the account is subject to appropriation. Expenditures from the account may be used only for purposes allowed in the following accounts as they exist on December 1, 2024: (a) The climate investment account; (b) the climate commitment account; (c) the natural climate solutions account; and (d) the air quality and health disparities improvement account.

(2) If Initiative Measure No. 2117 is approved in the 2024 general election, unless otherwise specified, appropriations in chapter 474, Laws of 2023 (2023-2025 biennial capital budget), the 2024 supplemental capital budget (SB 5949), chapter 475, Laws of 2023 (2023-2025 biennial operating budget), and the 2024 supplemental operating budget (SB 5950), which are appropriated from the: (a) Climate investment account; (b) climate commitment account; (c) natural climate solutions account; and (d) air quality and health disparities improvement account, shall be paid from the consolidated climate account as if they were appropriated from that account beginning on the effective date of Initiative Measure No. 2117.

(3) If Initiative Measure No. 2117 is not approved at the 2024 general election, this section is null and void.

Sec. 908. RCW 43.101.200 and 2023 c 475 s 931 and 2023 c 168 s 2 are each reenacted and amended to read as follows:

(1) Except as provided in subsection (2) of this section, all law enforcement personnel, except volunteers, and reserve officers whether paid or unpaid, initially employed on or after January 1, 1978, shall engage in basic law enforcement training which complies with standards adopted by the commission pursuant to RCW 43.101.080. For personnel initially employed before January 1, 1990, such training shall be successfully completed during the first fifteen months of employment of such personnel

unless otherwise extended or waived by the commission and shall be requisite to the continuation of such employment. Personnel initially employed on or after January 1, 1990, shall commence basic training during the first six months of employment unless the basic training requirement is otherwise waived or extended by the commission. Successful completion of basic training is requisite to the continuation of employment of such personnel initially employed on or after January 1, 1990.

(2)(a) All law enforcement personnel who are limited authority Washington peace officers and whose employment commences on or after July 1, 2023, shall commence basic training during the first 12 months of employment unless the basic training requirement is otherwise waived or extended by the commission. Successful completion of basic training is requisite to the continuation of employment of such personnel initially employed on or after July 1, 2023.

(b)(i) The commission shall review the training files of all law enforcement personnel who are limited authority Washington peace officers, whose employment commenced prior to July 1, 2023, and who have not successfully completed training that complies with standards adopted by the commission, to determine what, if any, supplemental training is required to appropriately carry out the officers' duties and responsibilities.

(ii) Nothing in this section may be interpreted to require law enforcement personnel who are limited authority Washington peace officers, whose employment commenced prior to July 1, 2023, to complete the basic law enforcement training academy as a condition of continuing employment as a limited authority Washington peace officer.

(iii) Law enforcement personnel who are limited authority Washington peace officers are not required to complete the basic law enforcement academy or an equivalent basic academy upon transferring to a general authority Washington law enforcement agency or limited authority Washington law enforcement agency, as defined in RCW 10.93.020, if they have:

(A) Been employed as a special agent with the Washington state gambling commission, been a natural resource investigator with the department of natural resources, been a liquor enforcement officer with the liquor and cannabis board, been an investigator with the office of the insurance commissioner, or been a park ranger with the Washington state parks and recreation commission, before or after July 1, 2023; and

(B) Received a certificate of successful completion from the basic law enforcement academy or the basic law enforcement equivalency academy and thereafter engaged in regular and commissioned law enforcement employment with an agency listed in (b)(iii)(A) of this subsection without a break or interruption in excess of 24 months; and

(C) Remained current with the in-service training requirements as adopted by the commission by rule.

(3) Except as provided in RCW 43.101.170, the commission shall provide the aforementioned training and shall have the sole authority to do so. The commission shall provide necessary facilities, supplies, materials, and the board and room of noncommuting attendees for seven days per week, except during the 2017-2019, 2019-2021, and 2021-2023(~~and 2023-2025~~) fiscal biennia, and during fiscal year 2024, when the employing, county, city, or state law enforcement agency shall reimburse the commission for twenty-five percent of the cost of training its personnel. Additionally, to the extent funds are provided for this purpose, the commission shall reimburse to participating law enforcement agencies with ten or less full-time commissioned patrol officers the cost of temporary replacement of each officer who is enrolled in basic law enforcement training: PROVIDED, That such reimbursement shall include only the actual cost of temporary replacement not to exceed the total amount of salary

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and benefits received by the replaced officer during his or her training period:

PROVIDED FURTHER, That limited authority Washington law enforcement agencies as defined in RCW 10.93.020 shall reimburse the commission for the full cost of training their personnel.

Sec. 909. RCW 43.101.220 and 2021 c 334 s 978 are each amended to read as follows:

(1) The corrections personnel of the state and all counties and municipal corporations initially employed on or after January 1, 1982, shall engage in basic corrections training which complies with standards adopted by the commission. The standards adopted must provide for basic corrections training of at least ten weeks in length for any corrections officers subject to the certification requirement under RCW ~~((43.101.096))~~ 43.101.095 who are hired on or after July 1, 2021, or on an earlier date set by the commission. The training shall be successfully completed during the first six months of employment of the personnel, unless otherwise extended or waived by the commission, and shall be requisite to the continuation of employment.

(2) The commission shall provide the training required in this section, together with facilities, supplies, materials, and the room and board for noncommuting attendees, except during the ~~((2017-2019, 2019-2021, and))~~ 2021-2023 fiscal ~~((biennia))~~ biennium, and during fiscal year 2025, when the employing county, municipal corporation, or state agency shall reimburse the commission for twenty-five percent of the cost of training its personnel.

(3)(a) Subsections (1) and (2) of this section do not apply to the Washington state department of corrections prisons division. The Washington state department of corrections is responsible for identifying training standards, designing curricula and programs, and providing the training for those corrections personnel employed by it. In doing so, the secretary of the department of corrections shall consult with staff development experts and correctional professionals both inside and outside of the agency, to include soliciting input from labor organizations.

(b) The commission and the department of corrections share the responsibility of developing and defining training standards and providing training for community corrections officers employed within the community corrections division of the department of corrections.

Sec. 910. RCW 43.101.230 and 2023 c 72 s 1 are each amended to read as follows:

Tribal police officers and employees who are engaged in law enforcement activities and who do not qualify as "criminal justice personnel" or "law enforcement personnel" under RCW 43.101.010 shall be provided training under this chapter if: (1) The tribe is recognized by the federal government, and (2) except during fiscal year 2025, tribal agencies with tribal officer certification agreements with the commission under RCW 43.101.157 shall reimburse the commission for 25 percent of the cost of training its personnel. Tribes without current written tribal officer certification agreements with the commission shall pay to the commission the full cost of providing such training. The commission shall place all money received under this section into the criminal justice training account.

Sec. 911. RCW 70A.65.250 and 2023 c 475 s 938 and 2023 c 435 s 12 are each reenacted and amended to read as follows:

(1)(a) The climate investment account is created in the state treasury. Except as otherwise provided in chapter 316, Laws of 2021, all receipts from the auction of allowances authorized in this chapter must be deposited into the account. Moneys in the account may be spent only after appropriation.

(b) Projects or activities funded from the account must meet

high labor standards, including family sustaining wages, providing benefits including health care and employer-contributed retirement plans, career development opportunities, and maximize access to economic benefits from such projects for local workers and diverse businesses. Each contracting entity's proposal must be reviewed for equity and opportunity improvement efforts, including: (i) Employer paid sick leave programs; (ii) pay practices in relation to living wage indicators such as the federal poverty level; (iii) efforts to evaluate pay equity based on gender identity, race, and other protected status under Washington law; (iv) facilitating career development opportunities, such as apprenticeship programs, internships, job-shadowing, and on-the-job training; and (v) employment assistance and employment barriers for justice affected individuals.

(2) Moneys in the account may be used only for projects and programs that achieve the purposes of the greenhouse gas emissions cap and invest program established under this chapter and for tribal capacity grants under RCW 70A.65.305. During the 2023-2025 fiscal biennium, moneys in the account may also be used for tribal capacity grant activities supporting climate resilience and adaptation, developing tribal clean energy projects, applying for state or federal grant funding, and other related work; and for providing payments to agricultural fuel purchasers. Moneys in the account as described in this subsection must first be appropriated for the administration of the requirements of this chapter, in an amount not to exceed five percent of the total receipt of funds from allowance auction proceeds under this chapter. Beginning July 1, 2023, and annually thereafter, the state treasurer shall distribute funds in the account that exceed the amounts appropriated for the purposes of this subsection (2) as follows:

(a) Seventy-five percent of the moneys to the climate commitment account created in RCW 70A.65.260; and

(b) Twenty-five percent of the moneys to the natural climate solutions account created in RCW 70A.65.270.

(3) The allocations specified in subsection (2)(a) and (b) of this section must be reviewed by the legislature on a biennial basis based on the changing needs of the state in meeting its clean economy and greenhouse gas reduction goals in a timely, economically advantageous, and equitable manner.

(4) During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the climate investment account to the carbon emissions reduction account, the climate commitment account, and the natural climate solutions account.

Sec. 912. RCW 70A.65.300 and 2021 c 316 s 46 are each amended to read as follows:

(1) The department shall prepare, post on the department website, and submit to the appropriate committees of the legislature an annual report that identifies all distributions of moneys from the accounts created in RCW 70A.65.240 through 70A.65.280.

(2) The report must identify, at a minimum, the recipient of the funding, the amount of the funding, the purpose of the funding, the actual end result or use of the funding, whether the project that received the funding produced any verifiable reduction in greenhouse gas emissions or other long-term impact to emissions, and if so, the quantity of reduced greenhouse gas emissions, the cost per carbon dioxide equivalent metric ton of reduced greenhouse gas emissions, and a comparison to other greenhouse gas emissions reduction projects in order to facilitate the development of cost-benefit ratios for greenhouse gas emissions reduction projects.

(3) The department shall require by rule that recipients of funds

from the accounts created in RCW 70A.65.240 through 70A.65.280 report to the department, in a form and manner prescribed by the department, the information required for the department to carry out the department's duties established in this section.

(4) The department shall update its website with the information described in subsection (2) of this section as appropriate but no less frequently than once per calendar year.

(5) The department shall submit its report to the appropriate committees of the legislature with the information described in subsection (2) of this section no later than September 30 of each year. For fiscal year 2025, the report must be submitted no later than November 30, 2024.

NEW SECTION. Sec. 913. 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. 914. 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 "matters;" strike the remainder of the title and insert "amending RCW 43.101.220, 43.101.230, and 70A.65.300; reenacting and amending RCW 43.101.200 and 70A.65.250; amending 2023 c 475 ss 1, 101, 102, 103, 104, 105, 106, 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 401, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 701, 702, 703, 704, 705, 717, 710, 715, 726, 727, 734, 735, 740, 747, 745, 801, 802, 803, 805, 908, 909, and 911 (uncodified); adding new sections to 2023 c 475 (uncodified); making appropriations; and declaring an emergency."

And the bill do pass as recommended by the conference committee.

Signed by Senators Nguyen and Robinson; Representatives Gregerson and Ormsby.

MOTION

Senator Robinson moved that the Report of the Conference Committee on Engrossed Substitute Senate Bill No. 5950 be adopted.

Senators Robinson and Wilson, L. spoke in favor of passage of the motion.

The President declared the question before the Senate to be the motion by Senator Robinson that the Report of the Conference Committee on Engrossed Substitute Senate Bill No. 5950 be adopted.

The motion by Senator Robinson carried and the Report of the Conference Committee was adopted by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5950, as recommended by the Conference Committee.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed

Substitute Senate Bill No. 5950, as recommended by the Conference Committee, and the bill passed the Senate by the following vote: Yeas, 39; Nays, 8; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Cleveland, Conway, Dhingra, Dozier, Frame, Gildon, Hansen, Hasegawa, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Braun, Fortunato, Hawkins, McCune, Padden, Rivers, Schoesler and Wagoner

Excused: Senators Kauffman and Short

ENGROSSED SUBSTITUTE SENATE BILL NO. 5950, as recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 7, 2024

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on SENATE BILL NO. 5180 and has passed the bill as recommended by the Conference Committee. and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

REPORT OF THE CONFERENCE COMMITTEE

Senate Bill No. 5180

March 7, 2024

MR. PRESIDENT:

MR. SPEAKER:

We of your conference committee, to whom was referred Senate Bill No. 5180, have had the same under consideration and recommend that all previous amendments not be adopted and that the following striking amendment be adopted:

Strike everything after the enacting clause and insert the following:

"ARTICLE I PURPOSE

NEW SECTION. Sec. 1. The purpose of this compact is to facilitate the mobility of teachers across the member states, with the goal of supporting teachers through a new pathway to licensure. Through this compact, the member states seek to establish a collective regulatory framework that expedites and enhances the ability of teachers to move across state lines. This compact is intended to achieve the following objectives and should be interpreted accordingly. The member states hereby ratify the same intentions by subscribing hereto:

(1) Create a streamlined pathway to licensure mobility for teachers;

(2) Support the relocation of eligible military spouses;

(3) Facilitate and enhance the exchange of licensure, investigative, and disciplinary information between the member states;

(4) Enhance the power of state and district level education officials to hire qualified, competent teachers by removing barriers to the employment of out-of-state teachers;

(5) Support the retention of teachers in the profession by removing barriers to relicensure in a new state; and

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(6) Maintain state sovereignty in the regulation of the teaching profession.

ARTICLE II DEFINITIONS

NEW SECTION. Sec. 2. As used in this compact, and except as otherwise provided, the following definitions shall govern the terms herein:

(1) "Active military member" means any person with full-time duty status in the armed forces of the United States, including members of the national guard and reserve.

(2) "Adverse action" means any limitation or restriction imposed by a member state's licensing authority, such as revocation, suspension, reprimand, probation, or limitation on the licensee's ability to work as a teacher.

(3) "Bylaws" means those bylaws established by the commission.

(4) "Career and technical education license" means a current, valid authorization issued by a member state's licensing authority allowing an individual to serve as a teacher in prekindergarten through grade 12 public educational settings in a specific career and technical education area.

(5) "Charter member states" means a member state that has enacted legislation to adopt this compact where such legislation predates the initial meeting of the commission after the effective date of the compact.

(6) "Commission" means the interstate administrative body which membership consists of delegates of all states that have enacted this compact, and which is known as the interstate teacher mobility compact commission.

(7) "Commissioner" means the delegate of a member state.

(8) "Eligible license" means a license to engage in the teaching profession which requires at least a bachelor's degree and the completion of a state approved program for teacher licensure.

(9) "Eligible military spouse" means the spouse of any individual in full-time duty status in the active armed forces of the United States, including members of the national guard and reserve on active duty moving as a result of a military mission or military career progression requirements or are on their terminal move as a result of separation or retirement (to include surviving spouses of deceased military members).

(10) "Executive committee" means a group of commissioners elected or appointed to act on behalf of, and within the powers granted to them by, the commission as provided for herein.

(11) "Licensing authority" means an official, agency, board, or other entity of a state that is responsible for the licensing and regulation of teachers authorized to teach in prekindergarten through grade 12 public educational settings.

(12) "Member state" means any state that has adopted this compact, including all agencies and officials of such a state.

(13) "Receiving state" means any state where a teacher has applied for licensure under this compact.

(14) "Rule" means any regulation promulgated by the commission under this compact, which shall have the force of law in each member state.

(15) "State" means a state, territory, or possession of the United States, and the District of Columbia.

(16) "State practice laws" means a member state's laws, rules, and regulations that govern the teaching profession, define the scope of such profession, and create the methods and grounds for imposing discipline.

(17) "State specific requirements" means a requirement for licensure covered in coursework or examination that includes content of unique interest to the state.

(18) "Teacher" means an individual who currently holds an authorization from a member state that forms the basis for

employment in the prekindergarten through grade 12 public schools of the state to provide instruction in a specific subject area, grade level, or student population.

(19) "Unencumbered license" means a current, valid authorization issued by a member state's licensing authority allowing an individual to serve as a teacher in prekindergarten through grade 12 public educational settings. An unencumbered license is not a restricted, probationary, provisional, substitute, or temporary credential.

ARTICLE III

LICENSURE UNDER THE COMPACT

NEW SECTION. Sec. 3. (1) Licensure under this compact pertains only to the initial grant of a license by the receiving state. Nothing herein applies to any subsequent or ongoing compliance requirements that a receiving state might require for teachers.

(2) Each member state shall, in accordance with the rules of the commission, define, compile, and update as necessary, a list of eligible licenses and career and technical education licenses that the member state is willing to consider for equivalency under this compact and provide the list to the commission. The list shall include those licenses that a receiving state is willing to grant to teachers from other member states, pending a determination of equivalency by the receiving state's licensing authority.

(3) Upon the receipt of an application for licensure by a teacher holding an unencumbered eligible license, the receiving state shall determine which of the receiving state's eligible licenses the teacher is qualified to hold and shall grant such a license or licenses to the applicant. Such a determination shall be made in the sole discretion of the receiving state's licensing authority and may include a determination that the applicant is not eligible for any of the receiving state's eligible licenses. For all teachers who hold an unencumbered license, the receiving state shall grant one or more unencumbered license(s) that, in the receiving state's sole discretion, are equivalent to the license(s) held by the teacher in any other member state.

(4) For active military members and eligible military spouses who hold a license that is not unencumbered, the receiving state shall grant an equivalent license or licenses that, in the receiving state's sole discretion, is equivalent to the license or licenses held by the teacher in any other member state, except where the receiving state does not have an equivalent license.

(5) For a teacher holding an unencumbered career and technical education license, the receiving state shall grant an unencumbered license equivalent to the career and technical education license held by the applying teacher and issued by another member state, as determined by the receiving state in its sole discretion, except where a career and technical education teacher does not hold a bachelor's degree and the receiving state requires a bachelor's degree for licenses to teach career and technical education. A receiving state may require career and technical education teachers to meet state industry recognized requirements, if required by law in the receiving state.

ARTICLE IV

LICENSURE NOT UNDER THE COMPACT

NEW SECTION. Sec. 4. (1) Except as provided in section 3 of this act, nothing in this compact shall be construed to limit or inhibit the power of a member state to regulate licensure or endorsements overseen by the member state's licensing authority.

(2) When a teacher is required to renew a license received pursuant to this compact, the state granting such a license may require the teacher to complete state specific requirements as a condition of licensure renewal or advancement in that state.

(3) For the purposes of determining compensation, a receiving state may require additional information from teachers receiving

a license under the provisions of this compact.

(4) Nothing in this compact shall be construed to limit the power of a member state to control and maintain ownership of its information pertaining to teachers, or limit the application of a member state's laws or regulations governing the ownership, use, or dissemination of information pertaining to teachers.

(5) Nothing in this compact shall be construed to invalidate or alter any existing agreement or other cooperative arrangement which a member state may already be a party to, or limit the ability of a member state to participate in any future agreement or other cooperative arrangement to:

(a) Award teaching licenses or other benefits based on additional professional credentials including, but not limited to, national board certification;

(b) Participate in the exchange of names of teachers whose license has been subject to an adverse action by a member state; or

(c) Participate in any agreement or cooperative arrangement with a nonmember state.

ARTICLE V

TEACHER QUALIFICATIONS AND REQUIREMENTS FOR LICENSURE UNDER THE COMPACT

NEW SECTION. **Sec. 5.** (1) Except as provided for active military members or eligible military spouses in section 3(4) of this act, a teacher may only be eligible to receive a license under this compact where that teacher holds an unencumbered license in a member state.

(2) A teacher eligible to receive a license under this compact shall, unless otherwise provided for herein:

(a) Upon their application to receive a license under this compact, undergo a criminal background check in the receiving state in accordance with the laws and regulations of the receiving state;

(b) Comply with any applicable conditions of employment in the receiving state; and

(c) Provide the receiving state with information in addition to the information required for licensure for the purposes of determining compensation, if applicable.

ARTICLE VI

DISCIPLINE/ADVERSE ACTIONS

NEW SECTION. **Sec. 6.** (1) Nothing in this compact shall be deemed or construed to limit the authority of a member state to investigate or impose disciplinary measures on teachers according to the state practice laws thereof.

(2) Member states shall be authorized to receive, and shall provide, files and information regarding the investigation and discipline, if any, of teachers in other member states upon request. Any member state receiving such information or files shall protect and maintain the security and confidentiality thereof, in at least the same manner that it maintains its own investigatory or disciplinary files and information. Prior to disclosing any disciplinary or investigatory information received from another member state, the disclosing state shall communicate its intention and purpose for such disclosure to the member state which originally provided that information.

ARTICLE VII

ESTABLISHMENT OF THE INTERSTATE TEACHER MOBILITY COMPACT COMMISSION

NEW SECTION. **Sec. 7.** (1) The interstate compact member states hereby create and establish a joint public agency known as the interstate teacher mobility compact commission:

(a) The commission is a joint interstate governmental agency comprised of states that have enacted the interstate teacher mobility compact.

(b) Nothing in this interstate compact shall be construed to be a waiver of sovereign immunity.

(2) Membership, voting, and meetings.

(a) Each member state shall have and be limited to one delegate to the commission, who shall be given the title of commissioner.

(b) The commissioner shall be the primary administrative officer of the state licensing authority or their designee.

(c) Any commissioner may be removed or suspended from office as provided by the law of the state from which the commissioner is appointed.

(d) The member state shall fill any vacancy occurring in the commission within 90 days.

(e) Each commissioner shall be entitled to one vote about the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the commission. A commissioner shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for commissioners' participation in meetings by telephone or other means of communication.

(f) The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

(g) The commission shall establish by rule a term of office for commissioners.

(3) The commission shall have the following powers and duties:

(a) Establish a code of ethics for the commission;

(b) Establish the fiscal year of the commission;

(c) Establish bylaws for the commission;

(d) Maintain its financial records in accordance with the bylaws of the commission;

(e) Meet and take such actions as are consistent with the provisions of this interstate compact, the bylaws, and rules of the commission;

(f) Promulgate uniform rules to implement and administer this interstate compact. The rules shall have the force and effect of law and shall be binding in all member states. In the event the commission exercises its rule-making authority in a manner that is beyond the scope of the purposes of the compact, or the powers granted hereunder, then such an action by the commission shall be invalid and have no force and effect of law;

(g) Bring and prosecute legal proceedings or actions in the name of the commission, provided that the standing of any member state licensing authority to sue or be sued under applicable law shall not be affected;

(h) Purchase and maintain insurance and bonds;

(i) Borrow, accept, or contract for services of personnel including, but not limited to, employees of a member state, or an associated nongovernmental organization that is open to membership by all states;

(j) Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

(k) Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve, or use, any property, real, personal, or mixed, provided that at all times the commission shall avoid any appearance of impropriety;

(l) Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;

(m) Establish a budget and make expenditures;

(n) Borrow money;

(o) Appoint committees, including standing committees composed of members and such other interested persons as may be designated in this interstate compact, rules, or bylaws;

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(p) Provide and receive information from, and cooperate with, law enforcement agencies;

(q) Establish and elect an executive committee;

(r) Establish and develop a charter for an executive information governance committee to advise on facilitating exchange of information, use of information, data privacy, and technical support needs, and provide reports as needed;

(s) Perform such other functions as may be necessary or appropriate to achieve the purposes of this interstate compact consistent with the state regulation of teacher licensure; and

(t) Determine whether a state's adopted language is materially different from the model compact language such that the state would not qualify for participation in the compact.

(4) The executive committee of the interstate teacher mobility compact commission.

(a) The executive committee shall have the power to act on behalf of the commission according to the terms of this interstate compact.

(b) The executive committee shall be composed of eight voting members: The commission chair, vice chair, and treasurer; and five members who are elected by the commission from the current membership:

(i) Four voting members representing geographic regions in accordance with commission rules; and

(ii) One at large voting member in accordance with commission rules.

(c) The commission may add or remove members of the executive committee as provided in commission rules.

(d) The executive committee shall meet at least once annually.

(e) The executive committee shall have the following duties and responsibilities:

(i) Recommend to the entire commission changes to the rules or bylaws, changes to the compact legislation, fees paid by interstate compact member states such as annual dues, and any compact fee charged by the member states on behalf of the commission;

(ii) Ensure commission administration services are appropriately provided, contractual or otherwise;

(iii) Prepare and recommend the budget;

(iv) Maintain financial records on behalf of the commission;

(v) Monitor compliance of member states and provide reports to the commission; and

(vi) Perform other duties as provided in rules or bylaws.

(f) Meetings of the commission.

(i) All meetings shall be open to the public, and public notice of meetings shall be given in accordance with commission bylaws.

(ii) The commission or the executive committee or other committees of the commission may convene in a closed, nonpublic meeting if the commission or executive committee or other committees of the commission must discuss:

(A) Noncompliance of a member state with its obligations under the compact;

(B) The employment, compensation, discipline, or other matters, practices, or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;

(C) Current, threatened, or reasonably anticipated litigation;

(D) Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

(E) Accusing any person of a crime or formally censuring any person;

(F) Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

(G) Disclosure of information of a personal nature where

disclosure would constitute a clearly unwarranted invasion of personal privacy;

(H) Disclosure of investigative records compiled for law enforcement purposes;

(I) Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact;

(J) Matters specifically exempted from disclosure by federal or member state statutes; and

(K) Other matters as set forth by commission bylaws and rules.

(iii) If a meeting, or portion of a meeting, is closed pursuant to this provision, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

(iv) The commission shall keep minutes of commission meetings and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

(g) Financing of the commission.

(i) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(ii) The commission may accept all appropriate donations and grants of money, equipment, supplies, materials, and services, and receive, utilize, and dispose of the same, provided that at all times the commission shall avoid any appearance of impropriety or conflict of interest.

(iii) The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission, in accordance with the commission rules.

(iv) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

(v) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to accounting procedures established under commission bylaws. All receipts and disbursements of funds of the commission shall be reviewed annually in accordance with commission bylaws, and a report of the review shall be included in and become part of the annual report of the commission.

(h) Qualified immunity, defense, and indemnification.

(i) The members, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided, that nothing in this subsection (4)(h)(i) shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.

(ii) The commission shall defend any member, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the

scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided, that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

(iii) The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

ARTICLE VIII RULE-MAKING

NEW SECTION. Sec. 8. (1) The commission shall exercise its rule-making powers pursuant to the criteria set forth in this interstate compact and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

(2) The commission shall promulgate reasonable rules to achieve the intent and purpose of this interstate compact. In the event the commission exercises its rule-making authority in a manner that is beyond purpose and intent of this interstate compact, or the powers granted hereunder, then such an action by the commission shall be invalid and have no force and effect of law in the member states.

(3) If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

(4) Rules or amendments to the rules shall be adopted or ratified at a regular or special meeting of the commission in accordance with commission rules and bylaws.

(5) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule with 48 hours' notice, with opportunity to comment, provided that the usual rule-making procedures shall be retroactively applied to the rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

- (a) Meet an imminent threat to public health, safety, or welfare;
- (b) Prevent a loss of commission or member state funds;
- (c) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule of the commission; or
- (d) Protect public health and safety.

ARTICLE IX FACILITATING INFORMATION EXCHANGE

NEW SECTION. Sec. 9. (1) The commission shall provide for facilitating the exchange of information to administer and implement the provisions of this compact in accordance with the rules of the commission, consistent with generally accepted data protection principles.

(2) Nothing in this compact shall be deemed or construed to alter, limit, or inhibit the power of a member state to control and

maintain ownership of its licensee information or alter, limit, or inhibit the laws or regulations governing licensee information in the member state.

ARTICLE X OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

NEW SECTION. Sec. 10. (1) Oversight.

(a) The executive and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact shall have standing as statutory law.

(b) Venue in proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct, or any such similar matter.

(c) All courts and all administrative agencies shall take judicial notice of the compact, the rules of the commission, and any information provided to a member state pursuant thereto in any judicial or quasi-judicial proceeding in a member state pertaining to the subject matter of this compact, or which may affect the powers, responsibilities, or actions of the commission.

(d) The commission shall be entitled to receive service of process in any proceeding regarding the enforcement or interpretation of the compact and shall have standing to intervene in such a proceeding for all purposes. Failure to provide the commission service of process shall render a judgment or order void as to the commission, this compact, or promulgated rules.

(2) Default, technical assistance, and termination. If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

(a) Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default or any other action to be taken by the commission; and

(b) Provide remedial training and specific technical assistance regarding the default.

(3) If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the commissioners of the member states, and all rights, privileges, and benefits conferred on that state by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(4) Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, the state licensing authority, and each of the member states.

(5) A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(6) The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

(7) The defaulting state may appeal the action of the

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commission by petitioning the United States district court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.

(8) Dispute resolution.

(a) Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

(b) The commission shall promulgate a rule providing for both binding and nonbinding alternative dispute resolution for disputes as appropriate.

(9) Enforcement.

(a) The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

(b) By majority vote, the commission may initiate legal action in the United States district court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

ARTICLE XI

EFFECTUATION, WITHDRAWAL, AND AMENDMENT

NEW SECTION. Sec. 11. (1) The compact shall come into effect on the date on which the compact statute is enacted into law in the 10th member state.

(a) On or after the effective date of the compact, the commission shall convene and review the enactment of each of the charter member states to determine if the statute enacted by each such charter member state is materially different from the model compact statute.

(b) A charter member state whose enactment is found to be materially different from the model compact statute shall be entitled to the default process set forth in section 10 of this act.

(c) Member states enacting the compact subsequent to the charter member states shall be subject to the process set forth in section 7(3)(t) of this act to determine if their enactments are materially different from the model compact statute and whether they qualify for participation in the compact.

(2) If any member state is later found to be in default, or is terminated or withdraws from the compact, the commission shall remain in existence and the compact shall remain in effect even if the number of member states should be less than 10.

(3) Any state that joins the compact after the commission's initial adoption of the rules and bylaws shall be subject to the rules and bylaws as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state, as the rules and bylaws may be amended as provided in this compact.

(4) Any member state may withdraw from this compact by enacting a statute repealing the same.

(a) A member state's withdrawal shall not take effect until six months after enactment of the repealing statute.

(b) Withdrawal shall not affect the continuing requirement of the withdrawing state's licensing authority to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

(5) This compact may be amended by the member states. No amendment to this compact shall become effective and binding

upon any member state until it is enacted into the laws of all member states.

ARTICLE XII

CONSTRUCTION AND SEVERABILITY

NEW SECTION. Sec. 12. This compact shall be liberally construed to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision of this compact is declared to be contrary to the Constitution of any member state or a state seeking membership in the compact, or of the United States or the applicability thereof to any other government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this compact shall be held contrary to the Constitution of any member state, the compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

ARTICLE XIII

CONSISTENT EFFECT AND CONFLICT WITH OTHER STATE LAWS

NEW SECTION. Sec. 13. (1) Nothing herein shall prevent or inhibit the enforcement of any other law of a member state that is not inconsistent with the compact.

(2) Any laws, statutes, regulations, or other legal requirements in a member state in conflict with the compact are superseded to the extent of the conflict.

(3) All permissible agreements between the commission and the member states are binding in accordance with their terms.

Sec. 14. RCW 28A.405.220 and 2016 c 85 s 2 are each amended to read as follows:

(1) Notwithstanding the provisions of RCW 28A.405.210, every person employed by a school district in a teaching or other nonsupervisory certificated position shall be subject to nonrenewal of employment contract as provided in this section during the first three years of employment by such district, unless: (a) The employee has previously completed at least two years of certificated employment in another school district in the state of Washington, in which case the employee shall be subject to nonrenewal of employment contract pursuant to this section during the first year of employment with the new district; or (b) the employee has received an evaluation rating below level 2 on the four-level rating system established under RCW 28A.405.100 during the third year of employment, in which case the employee shall remain subject to the nonrenewal of the employment contract until the employee receives a level 2 rating; or (c) the school district superintendent may make a determination to remove an employee from provisional status if the employee has received one of the top two evaluation ratings during the second year of employment by the district. Employees as defined in this section shall hereinafter be referred to as "provisional employees."

(2) The superintendent of the school district may not renew the employment contract of a provisional employee licensed under the interstate teacher mobility compact in chapter 28A--- RCW (the new chapter created in section 15 of this act) for a third year if the provisional employee has not yet completed both the issues of abuse course described in RCW 28A.410.035 and the equity-based school practices requirements under RCW 28A.410.277.

(3) In the event the superintendent of the school district determines that the employment contract of any provisional employee should not be renewed by the district for the next ensuing term such provisional employee shall be notified thereof in writing on or before May 15th preceding the commencement

of such school term, or if the omnibus appropriations act has not passed the legislature by the end of the regular legislative session for that year, then notification shall be no later than June 15th, which notification shall state the reason or reasons for such determination. Such notice shall be served upon the provisional employee personally, or by certified or registered mail, or by leaving a copy of the notice at the place of his or her usual abode with some person of suitable age and discretion then resident therein. The determination of the superintendent shall be subject to the evaluation requirements of RCW 28A.405.100.

~~((3))~~ (4) Every such provisional employee so notified, at his or her request made in writing and filed with the superintendent of the district within ten days after receiving such notice, shall be given the opportunity to meet informally with the superintendent for the purpose of requesting the superintendent to reconsider his or her decision. Such meeting shall be held no later than ten days following the receipt of such request, and the provisional employee shall be given written notice of the date, time and place of meeting at least three days prior thereto. At such meeting the provisional employee shall be given the opportunity to refute any facts upon which the superintendent's determination was based and to make any argument in support of his or her request for reconsideration.

~~((4))~~ (5) Within ten days following the meeting with the provisional employee, the superintendent shall either reinstate the provisional employee or shall submit to the school district board of directors for consideration at its next regular meeting a written report recommending that the employment contract of the provisional employee be nonrenewed and stating the reason or reasons therefor. A copy of such report shall be delivered to the provisional employee at least three days prior to the scheduled meeting of the board of directors. In taking action upon the recommendation of the superintendent, the board of directors shall consider any written communication which the provisional employee may file with the secretary of the board at any time prior to that meeting.

~~((5))~~ (6) The board of directors shall notify the provisional employee in writing of its final decision within ten days following the meeting at which the superintendent's recommendation was considered. The decision of the board of directors to nonrenew the contract of a provisional employee shall be final and not subject to appeal.

~~((6))~~ (7) This section applies to any person employed by a school district in a teaching or other nonsupervisory certificated position after June 25, 1976. This section provides the exclusive means for nonrenewing the employment contract of a provisional employee and no other provision of law shall be applicable thereto, including, without limitation, RCW 28A.405.210 and chapter 28A.645 RCW.

NEW SECTION. Sec. 15. Sections 1 through 13 of this act constitute a new chapter in Title 28A RCW."

On page 1, line 1 of the title, after "to" strike the remainder of the title and insert "the licensure and employment of out-of-state teachers; amending RCW 28A.405.220; and adding a new chapter to Title 28A RCW."

And the bill do pass as recommended by the conference committee.

Signed by Senators Hunt and Wellman; Representatives Rude, Santos and Shavers.

MOTION

Senator Hunt moved that the Report of the Conference Committee on Senate Bill No. 5180 be adopted.

Senator Hunt spoke in favor of the motion.

Senator Hawkins spoke against the motion.

The President declared the question before the Senate to be the motion by Senator Hunt that the Report of the Conference Committee on Senate Bill No. 5180 be adopted.

The motion by Senator Hunt carried and the Report of the Conference Committee was adopted by voice vote.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5180, as recommended by the Conference Committee.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5180, as recommended by the Conference Committee, and the bill passed the Senate by the following vote: Yeas, 41; Nays, 6; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Fortunato, Frame, Gildon, Hansen, Hasegawa, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Wamick, Wellman, Wilson, C. and Wilson, L.

Voting nay: Senators Boehnke, Dozier, Hawkins, McCune, Padden and Wilson, J.

Excused: Senators Kauffman and Short

SENATE BILL NO. 5180, as recommended by the Conference Committee, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5481,
 SUBSTITUTE SENATE BILL NO. 5588,
 SECOND SUBSTITUTE SENATE BILL NO. 5784,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5796,
 SUBSTITUTE SENATE BILL NO. 5798,
 SUBSTITUTE SENATE BILL NO. 5802,
 SUBSTITUTE SENATE BILL NO. 5931,
 SUBSTITUTE SENATE BILL NO. 5934,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5949,
 SUBSTITUTE SENATE BILL NO. 5972,
 SUBSTITUTE SENATE BILL NO. 6025,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6038,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6039,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6040,
 SUBSTITUTE SENATE BILL NO. 6047,
 SUBSTITUTE SENATE BILL NO. 6053,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL
 NO. 6058,
 SUBSTITUTE SENATE BILL NO. 6059,
 ENGROSSED SENATE BILL NO. 6087,
 SUBSTITUTE SENATE BILL NO. 6099,
 SUBSTITUTE SENATE BILL NO. 6100,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6105,
 ENGROSSED SENATE BILL NO. 6120,
 SUBSTITUTE SENATE BILL NO. 6157,
 SUBSTITUTE SENATE BILL NO. 6164,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL
 NO. 6175,
 SUBSTITUTE SENATE BILL NO. 6301,

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and SENATE CONCURRENT RESOLUTION NO. 8414.

MESSAGE FROM THE HOUSE

March 7, 2024

MR. PRESIDENT:

The House insists on its position regarding the Senate amendment(s) to SECOND SUBSTITUTE HOUSE BILL NO. 2320 and asks the Senate to recede therefrom.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Keiser moved that the Senate recede from its position on the Senate amendments to Second Substitute House Bill No. 2320.

Senators Keiser and King spoke in favor of passage of the motion.

The President declared the question before the Senate to be motion by Senator Keiser that the Senate recede from its position on the Senate amendments to Second Substitute House Bill No. 2320.

MOTION

On motion of Senator Wagoner, Senator Schoesler was excused.

The motion by Senator Keiser carried and the Senate receded from its amendments to Second Substitute House Bill No. 2320.

MOTION

On motion of Senator Keiser, the rules were suspended and Second Substitute House Bill No. 2320 was returned to second reading for the purposes of amendment.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2320, by House Committee on Appropriations (originally sponsored by Davis, Eslick, Bergquist, Callan, Dent, Dye, Senn, Leavitt, Harris, Ryu, Walen, Peterson, Pollet, and Ramel)

Concerning high THC cannabis products.

MOTION

Senator Keiser moved that the following striking floor amendment no. 886 by Senator Keiser be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that there is a growing body of research evidencing that consuming cannabis with high concentrations of THC may be harmful to some people, including younger persons and persons who have or are at risk for developing certain mental health conditions or psychotic disorders. Products like THC-infused vape oils, shatter, and dabs can contain close to 100 percent THC, and may carry risks not commonly associated with consumption of useable cannabis flower or other cannabis products with relatively lower THC concentrations. In the interest of public health, the legislature intends to review studies and consider increasing the minimum legal age of sale of high THC cannabis products to age 25, and

the legislature intends to require caution notices, developed by the department of health, to be posted at the point of sale in cannabis retail outlets to raise awareness about possible health impacts and risks associated with high THC cannabis. The legislature further intends to implement and study health interventions, gather data, and ensure that new research, data, and information concerning the impacts of high THC cannabis continues to be incorporated into state policy.

NEW SECTION. Sec. 2. The legislature intends to provide the department of health with recurring funding available each fiscal year, beginning in fiscal year 2025, to allow the department of health to issue requests for proposals and contract for targeted public health messages and social marketing campaigns directed toward individuals most likely to suffer negative impacts of high THC products including persons under 25 years of age and persons living with mental health challenges. Messages and media campaigns funded must include information about risks, comparative dosing of cannabis products, and resources for persons seeking support for quitting or decreasing their intake of tetrahydrocannabinol. The content of public health messages and social marketing campaigns must be developed in partnership with persons targeted by the messages and campaigns and in consultation with professionals proficient in public health communication and in cannabis research.

NEW SECTION. Sec. 3. By July 1, 2025, the department of health must develop an optional training that cannabis retail staff may complete to better understand the health and safety impacts of high THC cannabis products. In developing the optional training, the department of health must consult with cannabis retail staff, cannabis consumers, persons who have been harmed by high THC products, health care providers, prevention professionals, researchers with relevant expertise, behavioral health providers, and representatives of licensed cannabis businesses.

Sec. 4. RCW 69.50.357 and 2022 c 16 s 71 are each amended to read as follows:

(1)(a) Retail outlets may not sell products or services other than cannabis concentrates, useable cannabis, cannabis-infused products, or paraphernalia intended for the storage or use of cannabis concentrates, useable cannabis, or cannabis-infused products.

(b)(i) Retail outlets may receive lockable boxes, intended for the secure storage of cannabis products and paraphernalia, and related literature as a donation from another person or entity, that is not a cannabis producer, processor, or retailer, for donation to their customers.

(ii) Retail outlets may donate the lockable boxes and provide the related literature to any person eligible to purchase cannabis products under subsection (2) of this section. Retail outlets may not use the donation of lockable boxes or literature as an incentive or as a condition of a recipient's purchase of a cannabis product or paraphernalia.

(iii) Retail outlets may also purchase and sell lockable boxes, provided that the sales price is not less than the cost of acquisition.

(2) Licensed cannabis retailers may not employ persons under twenty-one years of age or allow persons under twenty-one years of age to enter or remain on the premises of a retail outlet. However, qualifying patients between eighteen and twenty-one years of age with a recognition card may enter and remain on the premises of a retail outlet holding a medical cannabis endorsement and may purchase products for their personal medical use. Qualifying patients who are under the age of eighteen with a recognition card and who accompany their designated providers may enter and remain on the premises of a retail outlet holding a medical cannabis endorsement, but may not

purchase products for their personal medical use.

(3)(a) Licensed cannabis retailers must ensure that all employees are trained on the rules adopted to implement this chapter, identification of persons under the age of twenty-one, and other requirements adopted by the board to ensure that persons under the age of twenty-one are not permitted to enter or remain on the premises of a retail outlet.

(b) Licensed cannabis retailers with a medical cannabis endorsement must ensure that all employees are trained on the subjects required by (a) of this subsection as well as identification of authorizations and recognition cards. Employees must also be trained to permit qualifying patients who hold recognition cards and are between the ages of eighteen and twenty-one to enter the premises and purchase cannabis for their personal medical use and to permit qualifying patients who are under the age of eighteen with a recognition card to enter the premises if accompanied by their designated providers.

(4) Except for the purposes of disposal as authorized by the board, no licensed cannabis retailer or employee of a retail outlet may open or consume, or allow to be opened or consumed, any cannabis concentrates, useable cannabis, or cannabis-infused product on the outlet premises.

(5)(a) By December 31, 2024, licensed cannabis retailers shall post a conspicuous notice at the point of sale in retail outlets with information about: (i) The potential health risks and adverse health impacts that may be associated with the consumption of high THC cannabis; (ii) the potentially much higher risks that may be present for younger persons under age 25 as well as for persons who have or are at risk for developing certain mental health conditions or psychotic disorders; and (iii) where to find help in case of negative effects and resources for quitting or reducing cannabis consumption. The notice must be the same or substantially the same as the notice developed by the department of health under this subsection (5).

(b) The department of health shall develop the notice required under this section and make it available to licensed cannabis retailers. The notice must, at a minimum, identify the information specified in (a)(i) through (iii) of this subsection, and may include additional information.

(6) The board must fine a licensee one thousand dollars for each violation of any subsection of this section. Fines collected under this section must be deposited into the dedicated cannabis account created under RCW 69.50.530.

NEW SECTION. Sec. 5. A new section is added to chapter 71.24 RCW to read as follows:

(1) Subject to amounts appropriated for this specific purpose, the health care authority must issue a request for proposal and contract with an entity to develop, implement, test, and evaluate guidance and health interventions for health care providers and patients at risk for developing serious complications due to cannabis consumption who are seeking care in emergency departments, primary care settings, behavioral health settings, other health care facilities, and for use by state poison control and recovery hotlines to promote cannabis use reduction and cessation for the following populations:

(a) Youth and adults at high risk of adverse mental health impacts from use of high THC cannabis;

(b) Youth and adults who have experienced a cannabis-induced first episode psychosis but do not have a diagnosis of a psychotic disorder; and

(c) Youth and adults who have a diagnosed psychotic disorder and use cannabis.

(2) The health care authority must submit a preliminary report to the appropriate committees of the legislature summarizing the progress toward developing and testing health interventions and recruiting patients and health care facilities to participate by

December 1, 2025. The health care authority must provide a progress report on initial outcomes of the health interventions for participating patients and health care facilities by July 1, 2027. The health care authority must submit a final report to the appropriate committees of the legislature summarizing the results of the interventions and any recommendations for implementation of health interventions by December 1, 2028.

(3) A contract entered under the authorization in this section must include, in the scope of work, data gathering on adverse health impacts occurring in Washington associated with consumption of high THC cannabis, and data gathered must be included in the reports submitted to the legislature under this section.

(4) This section expires December 31, 2028.

NEW SECTION. Sec. 6. (1) Beginning December 1, 2024, the liquor and cannabis board must collect data on the following information on cannabis products sold within Washington state:

(a) The amount of products being sold in the following categories: Usable cannabis, cannabis concentrates, and cannabis-infused products;

(b) The average THC concentration in usable cannabis and cannabis concentrates, and the average milligrams of THC per unit in cannabis-infused products; and

(c) The range of THC concentration in usable cannabis and cannabis concentrates.

(2) By November 14, 2025, the liquor and cannabis board must submit a report to the relevant committees of the legislature on the information collected under subsection (1) of this section.

(3) For the purposes of this section, "product" has the meaning provided in RCW 69.50.535.

(4) This section expires December 31, 2026.

NEW SECTION. Sec. 7. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

On page 1, line 4 of the title, after "psychosis;" strike the remainder of the title and insert "amending RCW 69.50.357; adding a new section to chapter 71.24 RCW; creating new sections; and providing expiration dates."

Senators Keiser and King spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 886 by Senator Keiser to Second Substitute House Bill No. 2320.

The motion by Senator Keiser carried and striking floor amendment no. 886 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Second Substitute House Bill No. 2320 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2320 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2320 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman, Schoesler and Short

SECOND SUBSTITUTE HOUSE BILL NO. 2320 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 7, 2024

MR. PRESIDENT:

The House insists on its position regarding the House amendment(s) to ENGROSSED SENATE BILL NO. 5790 and asks the Senate to concur thereon.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Dhingra moved that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 5790.

Senator Dhingra spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Dhingra that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 5790.

The motion by Senator Dhingra carried and the Senate concurred in the House amendment(s) to Engrossed Senate Bill No. 5790 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5790, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5790, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

ENGROSSED SENATE BILL NO. 5790, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 6, 2024

MR. PRESIDENT:

The House receded from its amendment(s) to SENATE BILL NO. 5811. Under suspension of the rules, the bill was returned to second reading for the purposes of amendment(s). The House adopted the following amendment(s): 5811 AMH RICC H3511.2, and passed the bill as amended by the House.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 18.88B.041 and 2023 c 424 s 7 are each amended to read as follows:

(1) The following long-term care workers are not required to become a certified home care aide pursuant to this chapter:

(a)(i)(A) Registered nurses, licensed practical nurses, certified nursing assistants or persons who are in an approved training program for certified nursing assistants under chapter 18.88A RCW, medicare-certified home health aides, or other persons who hold a similar health credential, as determined by the secretary, or persons with special education training and an endorsement granted by the superintendent of public instruction, as described in RCW 28A.300.010, if the secretary determines that the circumstances do not require certification.

(B) A person who was initially hired as a long-term care worker prior to January 7, 2012, and who completes all of the training requirements in effect as of the date the person was hired.

(ii) Individuals exempted by (a)(i) of this subsection may obtain certification as a home care aide without fulfilling the training requirements in RCW 74.39A.074(1)(d)(ii) but must successfully complete a certification examination pursuant to RCW 18.88B.031.

(b) All long-term care workers employed by community residential service businesses.

(c)(i) An individual provider caring only for the individual provider's (~~biological, step, or adoptive~~) child or parent, including when related by marriage or domestic partnership; and

(ii) An individual provider caring only for the individual provider's sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership.

(d) A person working as an individual provider who provides (~~twenty~~) 20 hours or less of nonrespite care for one person in any calendar month.

(e) A person working as an individual provider who only provides respite services and works less than (~~three hundred~~) 300 hours in any calendar year.

(f) A long-term care worker providing approved services only for a spouse or registered domestic partner, pursuant to the long-term services and supports trust program established in chapter 50B.04 RCW.

(g) A long-term care worker providing approved services only for a spouse or registered domestic partner and funded through the United States department of veterans affairs home and community-based programs.

(2) A long-term care worker exempted by this section from the training requirements contained in RCW 74.39A.074 may not be prohibited from enrolling in training pursuant to that section.

(3) The department shall adopt rules to implement this section.

Sec. 2. RCW 74.39A.076 and 2023 c 424 s 8 are each amended to read as follows:

(1) Beginning January 7, 2012, except for long-term care workers exempt from certification under RCW 18.88B.041(1)(a):

(a) A (~~biological, step, or adoptive~~) parent who is the individual provider only for the person's developmentally disabled (~~son or daughter~~) child, including when related by marriage or domestic partnership, must receive (~~twelve~~) 12 hours of training relevant to the needs of individuals with

developmental disabilities within the first ~~((one hundred twenty))~~ 120 days after becoming an individual provider.

(b) A spouse or registered domestic partner who is a long-term care worker only for a spouse or domestic partner, pursuant to the long-term services and supports trust program established in chapter 50B.04 RCW, must receive ~~((fifteen))~~ 15 hours of basic training, and at least six hours of additional focused training based on the care-receiving spouse's or partner's needs, within the first ~~((one hundred twenty))~~ 120 days after becoming a long-term care worker.

(c) A person working as an individual provider who (i) provides respite care services only for individuals with developmental disabilities receiving services under Title 71A RCW or only for individuals who receive services under this chapter, and (ii) works ~~((three hundred))~~ 300 hours or less in any calendar year, must complete ~~((fourteen))~~ 14 hours of training within the first ~~((one hundred twenty))~~ 120 days after becoming an individual provider. Five of the ~~((fourteen))~~ 14 hours must be completed before becoming eligible to provide care, including two hours of orientation training regarding the caregiving role and terms of employment and three hours of safety training. The training partnership identified in RCW 74.39A.360 must offer at least ~~((twelve))~~ 12 of the ~~((fourteen))~~ 14 hours online, and five of those online hours must be individually selected from elective courses.

(d) Individual providers identified in (d)(i) or (ii) of this subsection must complete ~~((thirty five))~~ 35 hours of training within the first ~~((one hundred twenty))~~ 120 days after becoming an individual provider. Five of the ~~((thirty five))~~ 35 hours must be completed before becoming eligible to provide care. Two of these five hours shall be devoted to an orientation training regarding an individual provider's role as caregiver and the applicable terms of employment, and three hours shall be devoted to safety training, including basic safety precautions, emergency procedures, and infection control. Individual providers subject to this requirement include:

(i)(A) ~~((A))~~ Unless covered by (a) of this subsection, an individual provider caring only for the individual provider's ((biological, step, or adoptive)) child or parent ((unless covered by (a) of this subsection)), including when related by marriage or domestic partnership; ((and))

(B) An individual provider caring only for the individual provider's sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership;

(ii) A person working as an individual provider who provides ~~((twenty))~~ 20 hours or less of care for one person in any calendar month; and

(iii) A long-term care worker providing approved services only for a spouse or registered domestic partner and funded through the United States department of veterans affairs home and community-based programs.

(2) In computing the time periods in this section, the first day is the date of hire.

(3) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors.

(4) If a pandemic, natural disaster, or other declared state of emergency impacts the ability of long-term care workers to complete training as required by this section, the department may adopt rules to allow long-term care workers additional time to

complete the training requirements.

(a) Rules adopted under this subsection (4) are effective until the termination of the pandemic, natural disaster, or other declared state of emergency or until the department determines that all long-term care workers who were unable to complete the training required in subsection (1) of this section have had adequate access to complete the required training, whichever is later. Once the department determines a rule adopted under this subsection (4) is no longer necessary, it must repeal the rule under RCW 34.05.353.

(b) Within 12 months of the termination of the pandemic, natural disaster, or other declared state of emergency, the department shall conduct a review of training compliance with subsection (1) of this section and provide the legislature with a report.

The department shall adopt rules to implement this section.

Sec. 3. RCW 74.39A.341 and 2023 c 424 s 6 are each amended to read as follows:

(1) All long-term care workers shall complete ~~((twelve))~~ 12 hours of continuing education training in advanced training topics each year. This requirement applies beginning July 1, 2012.

(2) Completion of continuing education as required in this section is a prerequisite to maintaining home care aide certification under chapter 18.88B RCW.

(3) Unless voluntarily certified as a home care aide under chapter 18.88B RCW, subsection (1) of this section does not apply to:

(a) An individual provider caring only for his or her biological, step, or adoptive child;

(b) An individual provider caring only for the individual provider's parent, sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership;

(c) Registered nurses and licensed practical nurses licensed under chapter 18.79 RCW;

(d) Before January 1, 2016, a long-term care worker employed by a community residential service business;

(e) A person working as an individual provider who provides ~~((twenty))~~ 20 hours or less of care for one person in any calendar month;

(f) A person working as an individual provider who only provides respite services and works less than ~~((three hundred))~~ 300 hours in any calendar year; or

(g) A person whose certificate has been expired for less than five years who seeks to restore the certificate to active status. The person does not need to complete continuing education requirements in order for their certificate to be restored to active status. Subsection (1) of this section applies to persons once the certificate has been restored to active status, beginning on the date the certificate is restored to active status.

(4) Individual providers covered under subsection (3) of this section may voluntarily take continuing education. The consumer directed employer must pay individual providers covered in subsection (3) of this section for any continuing education that they may take, up to 12 hours of continuing education annually.

(5) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors.

~~((5))~~ (6) Individual providers under RCW 74.39A.270 shall be compensated for training time required by this section.

~~((6))~~ (7) If a pandemic, natural disaster, or other declared state

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of emergency impacts the ability of long-term care workers to complete training as required by this section, the department may adopt rules to allow long-term care workers additional time to complete the training requirements.

(a) Rules adopted under this subsection ~~((6))~~ are effective until the termination of the pandemic, natural disaster, or other declared state of emergency or until the department determines that all long-term care workers who were unable to complete the training required in this section have had adequate access to complete the required training, whichever is later. Once the department determines a rule adopted under this subsection ~~((6))~~ is no longer necessary, it must repeal the rule under RCW 34.05.353.

(b) Within 12 months of the termination of the pandemic, natural disaster, or other declared state of emergency, the department shall conduct a review of training compliance with subsection (1) of this section and provide the legislature with a report.

~~((7))~~ (8) The department of health shall adopt rules to implement subsection (1) of this section.

~~((8))~~ (9) The department shall adopt rules to implement subsection (2) of this section.

Sec. 4. RCW 74.39A.341 and 2023 c 424 s 6 are each amended to read as follows:

(1) All long-term care workers shall complete ~~((twelve))~~ 12 hours of continuing education training in advanced training topics each year. This requirement applies beginning July 1, 2012.

(2) Completion of continuing education as required in this section is a prerequisite to maintaining home care aide certification under chapter 18.88B RCW.

(3) Unless voluntarily certified as a home care aide under chapter 18.88B RCW, subsection (1) of this section does not apply to:

(a) An individual provider caring only for his or her biological, step, or adoptive child;

(b) ~~((An individual provider caring only for the individual provider's sibling, aunt, uncle, cousin, niece, nephew, grandparent, or grandchild, including when related by marriage or domestic partnership;~~

~~((c))~~ Registered nurses and licensed practical nurses licensed under chapter 18.79 RCW;

~~((d))~~ (c) Before January 1, 2016, a long-term care worker employed by a community residential service business;

~~((e))~~ (d) A person working as an individual provider who provides ~~((twenty))~~ 20 hours or less of care for one person in any calendar month;

~~((f))~~ (e) A person working as an individual provider who only provides respite services and works less than ~~((three hundred))~~ 300 hours in any calendar year; or

~~((g))~~ (f) A person whose certificate has been expired for less than five years who seeks to restore the certificate to active status. The person does not need to complete continuing education requirements in order for their certificate to be restored to active status. Subsection (1) of this section applies to persons once the certificate has been restored to active status, beginning on the date the certificate is restored to active status.

(4) Individual providers covered under subsection (3) of this section may voluntarily take continuing education. The consumer directed employer must pay individual providers covered in subsection (3) of this section for any continuing education that they may take, up to 12 hours of continuing education annually.

(5) Only training curriculum approved by the department may be used to fulfill the training requirements specified in this section. The department shall only approve training curriculum that:

(a) Has been developed with input from consumer and worker representatives; and

(b) Requires comprehensive instruction by qualified instructors.

~~((5))~~ (6) Individual providers under RCW 74.39A.270 shall be compensated for training time required by this section.

~~((6))~~ (7) If a pandemic, natural disaster, or other declared state of emergency impacts the ability of long-term care workers to complete training as required by this section, the department may adopt rules to allow long-term care workers additional time to complete the training requirements.

(a) Rules adopted under this subsection ~~((6))~~ are effective until the termination of the pandemic, natural disaster, or other declared state of emergency or until the department determines that all long-term care workers who were unable to complete the training required in this section have had adequate access to complete the required training, whichever is later. Once the department determines a rule adopted under this subsection ~~((6))~~ is no longer necessary, it must repeal the rule under RCW 34.05.353.

(b) Within 12 months of the termination of the pandemic, natural disaster, or other declared state of emergency, the department shall conduct a review of training compliance with subsection (1) of this section and provide the legislature with a report.

~~((7))~~ (8) The department of health shall adopt rules to implement subsection (1) of this section.

~~((8))~~ (9) The department shall adopt rules to implement subsection (2) of this section.

NEW SECTION. **Sec. 5.** A new section is added to chapter 74.39A RCW to read as follows:

(1) The department shall convene a work group to review existing available continuing education courses offered to long-term care workers under RCW 74.39A.341 and provide input and recommendations for the inclusion of topics relevant to individual providers caring for a family member to be incorporated into the development of new continuing education courses. The work group must consist of stakeholders with an interest in the continuing education training requirements for individual providers, including individual providers who are caregivers to a family member with an intellectual or developmental disability, individual providers who are adult children who are caregivers to a parent, the contracted training entity providing continuing education to long-term care workers, and consumers receiving care from an individual provider who is a family member.

(2) The department shall convene the work group by July 1, 2024, and the work group shall provide recommendations for the development of new courses to the secretary and the contracted training entity by March 1, 2025. By July 1, 2025, the contracted training entity shall submit a continuing education training course development plan that includes a specific timeline for the incorporation of topics identified in subsection (1) of this section to the secretary and the relevant committees of the legislature. Beginning September 1, 2025, the contracted training entity shall prioritize the development of courses that address the topics identified in subsection (1) of this section and the continuing education course development plan when it conducts its next scheduled continuing education course update and development for long-term care workers. The contracted training entity shall continue the development of new courses that address the recommended topics identified in subsection (1) of this section and the continuing education course development plan in its regular continuing education course development.

NEW SECTION. **Sec. 6.** Section 3 of this act takes effect January 1, 2025.

NEW SECTION. **Sec. 7.** Section 3 of this act expires January 1, 2027.

NEW SECTION. **Sec. 8.** Section 4 of this act takes effect January 1, 2027."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Cleveland moved that the Senate concur in the House amendment(s) to Senate Bill No. 5811.

Senators Cleveland and Rivers spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Cleveland that the Senate concur in the House amendment(s) to Senate Bill No. 5811.

The motion by Senator Cleveland carried and the Senate concurred in the House amendment(s) to Senate Bill No. 5811 by voice vote.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5811, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5811, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 30; Nays, 17; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Cleveland, Conway, Dhingra, Frame, Hansen, Hasegawa, Hunt, Keiser, Kuderer, Lias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Dozier, Fortunato, Gildon, Hawkins, Holy, King, MacEwen, McCune, Padden, Rivers, Schoesler, Torres, Wagoner, Warnick and Wilson, L.

Excused: Senators Kauffman and Short

SENATE BILL NO. 5811, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 6, 2024

MR. PRESIDENT:

The House passed ENGROSSED SENATE BILL NO. 6098 with the following amendment(s): 6098.E AMH APP H3498.2

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 82.45.240 and 2023 c 337 s 9 are each amended to read as follows:

(1) The down payment assistance account is created in the custody of the state treasurer. Receipts from the real estate excise tax on sales of condominiums or townhouses to persons using a down payment assistance program offered by the Washington state housing finance commission must be deposited in the account, as provided in subsection (2) of this section. Expenditures from the account may be used only for payment toward a person's down payment assistance loan that was used to purchase a condominium or townhouse for which the tax was

collected. Only the (~~Washington state housing finance commission~~) director of the department of commerce or the (~~commission's~~) 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.

(2)(a) Beginning June 15, 2024, and each June 15th thereafter, the department must notify the economic and revenue forecast council of the total amount received under RCW 82.45.060 from sales of condominiums or townhouses to persons using a down payment assistance program offered by the Washington state housing finance commission during the prior calendar year.

(b) Beginning in fiscal year 2025, and each fiscal year thereafter, the legislature must appropriate from the general fund to this account the lesser of (i) the amount received under RCW 82.45.060 on sales of condominiums or townhouses to persons using a down payment assistance program offered by the Washington state housing finance commission during the prior calendar year, as determined under (a) of this subsection, or (ii) \$250,000 per fiscal year.

(c) On or before March 1, 2024, and each March 1st thereafter, the Washington state housing finance commission must provide the department with the following information for each sale of a condominium or townhouse to a person using a down payment assistance program offered by the Washington state housing finance commission that occurred during the prior calendar year:

(i) The real estate excise tax affidavit number associated with the sale;

(ii) The date of sale;

(iii) The parcel number of the property sold;

(iv) The street address of the property sold;

(v) The county in which the property sold is located;

(vi) The full legal name of the seller, or sellers, as shown on the real estate excise tax affidavit;

(vii) The full legal name of the buyer, or buyers, as shown on the real estate excise tax affidavit; and

(viii) Any additional information the department may require to verify the property sold is a condominium or townhouse sold to persons using a down payment assistance program offered by the Washington state housing finance commission.

(d) For the purposes of this subsection, "townhouse" means dwelling units constructed in a row of two or more attached units where each dwelling unit shares at least one common wall with an adjacent unit and is accessed by a separate outdoor entrance.

(3) This section expires January 1, 2034.

NEW SECTION. **Sec. 2.** The following acts or parts of acts are each repealed:

(1) RCW 43.83.330 (State and local improvements revolving account—Definitions) and 2015 1st sp.s. c 4 s 34, 1991 sp.s. c 13 s 43, 1985 c 57 s 44, & 1972 ex.s. c 127 s 3;

(2) RCW 43.83.350 (State and local improvements revolving account, Waste Disposal Facilities, 1980—Definitions) and 2021 c 65 s 46, 2015 1st sp.s. c 4 s 40, 1991 sp.s. c 13 s 44, 1985 c 57 s 56, & 1980 c 159 s 3;

(3) RCW 27.34.410 (Heritage barn preservation fund) and 2015 c 225 s 24 & 2007 c 333 s 4;

(4) RCW 43.79.487 (Basic health plan stabilization account) and 2011 c 5 s 711;

(5) RCW 70A.305.140 (Brownfield redevelopment trust fund account—Created—Report to the office of financial management and the legislature—Rules) and 2020 c 20 s 1316, 2019 c 422 s 414, & 2013 2nd sp.s. c 1 s 3;

(6) RCW 43.79.530 (Dairy nutrient infrastructure account) and 2016 sp.s. c 35 s 6016;

(7) RCW 43.41.444 (Shared information technology system revolving account—Contracts for administration, development,

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maintenance, and operations of shared information technology systems—"Shared information technology system" defined) and 2015 3rd sp.s. c 1 s 504; and

(8) RCW 43.79.515 (State efficiency and restructuring account) and 2010 1st sp.s. c 37 s 946.

Sec. 3. RCW 27.34.400 and 2007 c 333 s 2 are each amended to read as follows:

(1) The Washington state heritage barn preservation program is created in the department.

(2) The director, in consultation with the heritage barn preservation advisory board, shall conduct a thematic study of Washington state's barns. The study shall include a determination of types, an assessment of the most unique and significant barns in the state, and a condition and needs assessment of historic barns in the state.

(3)(a) The department, in consultation with the heritage barn preservation advisory board, shall establish a heritage barn recognition program. To apply for recognition as a heritage barn, the barn owner shall supply to the department photos of the barn, photos of the farm and surrounding landscape, a brief history of the farm, and a construction date for the barn.

(b) Three times a year, the governor's advisory council on historic places shall review the list of barns submitted by the department for formal recognition as a heritage barn.

(4) Eligible applicants for heritage barn preservation ((~~fund~~)) program awards include property owners, nonprofit organizations, and local governments.

(5) To apply for support from the heritage barn preservation ((~~fund~~)) program, an applicant must submit an application to the department in a form prescribed by the department. Applicants must provide at least fifty percent of the cost of the project through in-kind labor, the applicant's own moneys, or other funding sources.

(6) The following types of projects are eligible for funding:

(a) Stabilization of endangered heritage barns and related agricultural buildings, including but not limited to repairs to foundations, sills, windows, walls, structural framework, and the repair and replacement of roofs; and

(b) Work that preserves the historic character, features, and materials of a historic barn.

(7) In making awards, the advisory board shall consider the following criteria:

(a) Relative historical and cultural significance of the barn;

(b) Urgency of the threat and need for repair;

(c) Extent to which the project preserves historic character and extends the useful life of the barn or associated agricultural building;

(d) Visibility of the barn from a state designated scenic byway or other publicly traveled way;

(e) Extent to which the project leverages other sources of financial assistance;

(f) Provision for long-term preservation;

(g) Readiness of the applicant to initiate and complete the project; and

(h) Extent to which the project contributes to the equitable geographic distribution of heritage barn preservation ((~~fund~~)) program awards across the state.

(8) In awarding funds, special consideration shall be given to barns that are:

(a) Still in agricultural use;

(b) Listed on the national register of historic places; or

(c) Outstanding examples of their type or era.

(9) The conditions in this subsection must be met by recipients of funding in order to satisfy the public benefit requirements of the heritage barn preservation program.

(a) Recipients must execute a contract with the department before commencing work. The contract must include a historic preservation easement for between five to fifteen years depending on the amount of the award. The contract must specify public benefit and minimum maintenance requirements.

(b) Recipients must proactively maintain their historic barn for a minimum of ten years.

(c) Public access to the exterior of properties that are not visible from a public right-of-way must be provided under reasonable terms and circumstances, including the requirement that visits by nonprofit organizations or school groups must be offered at least one day per year.

(10) All work must comply with the United States secretary of the interior's standards for the rehabilitation of historic properties; however, exceptions may be made for the retention or installation of metal roofs on a case-by-case basis.

(11) The heritage barn preservation ((~~fund~~)) program shall be acknowledged on any materials produced and in publicity for the project. A sign acknowledging the ((~~fund~~)) program shall be posted at the worksite for the duration of the preservation agreement.

(12) Projects must be initiated within one year of funding approval and completed within two years, unless an extension is provided by the department in writing.

(13) If a recipient of a heritage barn preservation ((~~fund~~)) program award, or subsequent owner of a property that was assisted by the ((~~fund~~)) program, takes any action within ten years of the funding award with respect to the assisted property such as dismantlement, removal, or substantial alteration, which causes it to be no longer eligible for listing in the Washington heritage register, the ((~~fund~~)) program shall be repaid in full within one year.

NEW SECTION. Sec. 4. A new section is added to chapter 41.05 RCW to read as follows:

The Fern Lodge maintenance account is created in the custody of the state treasurer. All receipts from the collection of rents for the Snohomish county long-term civil commitment facility known as Fern Lodge must be deposited into the account. Expenditures from the account may only be used for the ongoing maintenance and operational costs of Fern Lodge. Only the director or the director's designee may authorize expenses 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. 5. A new section is added to chapter 43.79 RCW to read as follows:

The inflation reduction elective pay account is created in the state treasury. All receipts from elective pay provided under P.L. 117-169 (inflation reduction act of 2022) must be deposited into the account. Moneys in the account may be spent only after appropriation.

NEW SECTION. Sec. 6. A new section is added to chapter 70A.535 RCW to read as follows:

The clean fuels credit account is created in the state treasury. All receipts from clean fuel credits generated under this chapter by state agency activities not funded through an appropriation in an omnibus transportation appropriations act must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for state agencies to complete investments to reduce state agency transportation-related emissions including, but not limited to, electric vehicle infrastructure, electric vehicles, electric vessels, and electric boats.

Sec. 7. RCW 70A.535.160 and 2023 c 431 s 14 are each amended to read as follows:

The clean fuels transportation investment account is created in the state treasury. All receipts to the state from clean fuel credits generated under this chapter from transportation investments funded in an omnibus transportation appropriations act, including those listed under RCW 70A.535.050(3), must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may only be used for activities and projects that reduce greenhouse gas emissions and decarbonize the transportation sector.

NEW SECTION. Sec. 8. A new section is added to chapter 74.09 RCW to read as follows:

The family medicine workforce development account is created in the state treasury. All receipts from funding available for the family medicine residency network pursuant to RCW 74.60.090 and 70.112.060 and any other funds collected for the medicaid direct payment program established in chapter . . . , Laws of 2024 (the omnibus operating appropriations act) must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only to supplement primary care graduate medical education.

NEW SECTION. Sec. 9. A new section is added to chapter 43.79 RCW to read as follows:

(1) The legislature recognizes the honor of Seattle being chosen as a host city for the 2026 FIFA World Cup soccer competition. The matches will attract hundreds of thousands of fans to our region and bring unprecedented attention to Seattle and the state of Washington as a whole. In recognition of the economic benefit to the state, the legislature intends to provide assistance in making the capital improvements necessary to host this event.

(2) The stadium world cup capital account is created in the state treasury for the purpose of advancing moneys to the Washington state public stadium authority for capital improvements required to host the 2026 World Cup. Moneys in the account may be spent only after appropriation.

(3) The department of commerce must enter into a loan agreement with the Washington state public stadium authority to advance funds for capital improvements necessary to host the 2026 World Cup. The department must work with the state treasurer to record distributions from the stadium world cup capital account and calculate the repayment obligation for amounts expended. Loan terms shall include interest at a rate that is 0.5 percent higher than the interest rate that the account would have earned without the transfer, with funds to be repaid no later than September 30, 2026.

(4) It is the intent of the legislature that loan funds be repaid from admissions taxes collected from World Cup events hosted at the stadium and deposited into the stadium and exhibition center account created in RCW 43.99N.060. If not earlier paid, on September 30, 2026, the director of the office of financial management shall direct the state treasurer to transfer any amounts due from the stadium and exhibition center account to the general fund.

Sec. 10. RCW 43.79A.040 and 2023 c 389 s 8, 2023 c 387 s 2, 2023 c 380 s 6, 2023 c 213 s 9, 2023 c 170 s 19, and 2023 c 12 s 2 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the

payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment program account, the Billy Frank Jr. national statuary hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the Fern Lodge maintenance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the pollution liability insurance program trust account, the produce railcar pool account, the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve

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fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, and the library operations account.

(c) The following accounts and funds must receive 80 percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advance right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

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

Sec. 11. RCW 43.79A.040 and 2023 c 389 s 8, 2023 c 387 s 2, 2023 c 380 s 6, 2023 c 213 s 9, and 2023 c 12 s 2 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

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

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the

agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment program account, the Billy Frank Jr. national statutory hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the Fern Lodge maintenance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the produce railcar pool account, the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, and the library operations account.

(c) The following accounts and funds must receive 80 percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advance right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody

of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

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

Sec. 12. RCW 43.84.092 and 2023 c 435 s 14, 2023 c 431 s 10, 2023 c 389 s 10, 2023 c 377 s 7, 2023 c 340 s 10, 2023 c 110 s 3, 2023 c 73 s 10, and 2023 c 41 s 4 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 abandoned recreational vehicle disposal account, the aeronautics account, the Alaskan Way viaduct replacement project account, the ambulance transport fund, ~~((the brownfield redevelopment trust fund account,))~~ the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the Chehalis basin taxable account, the clean fuels credit account, the clean fuels transportation investment account, the cleanup settlement account, the climate active transportation account, the climate transit programs account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the

covenant homeownership account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community services account, the diesel idle reduction account, the opioid abatement settlement account, the drinking water assistance account, the administrative subaccount of the drinking water assistance account, the early learning facilities development account, the early learning facilities revolving account, the Eastern Washington University capital projects account, the education construction fund, the education legacy trust account, the election account, the electric vehicle account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the fair start for kids account, the family medicine workforce development account, the ferry bond retirement fund, the fish, wildlife, and conservation account, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the higher education retirement plan supplemental benefit fund, the Washington student loan account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the hospital safety net assessment fund, the Interstate 5 bridge replacement project account, the Interstate 405 and state route number 167 express toll lanes account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the limited fish and wildlife account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the move ahead WA account, the move ahead WA flexible account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pilotage account, the pollution liability insurance agency underground storage tank revolving 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, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound Gateway facility account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the reserve officers' relief and pension principal fund, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the second injury fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state hazard mitigation revolving loan account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state reclamation revolving account, the state route number 520 civil penalties account, the state route number 520 corridor account, the statewide broadband account, the statewide tourism marketing account, 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

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tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the JUDY transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the University of Washington bond retirement fund, the University of Washington building account, the voluntary cleanup account, the volunteer firefighters' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the vulnerable roadway user education account, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' 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 patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond 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.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(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.

Sec. 13. RCW 43.84.092 and 2023 c 435 s 14, 2023 c 431 s 10, 2023 c 389 s 10, 2023 c 377 s 7, 2023 c 340 s 10, 2023 c 110 s 3, 2023 c 73 s 10, and 2023 c 41 s 4 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 abandoned recreational vehicle disposal account, the aeronautics account, the Alaskan Way viaduct replacement project account, ~~(the brownfield redevelopment trust fund account,)~~ the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the Chehalis basin taxable account, the clean fuels credit account, the clean fuels transportation investment account, the cleanup settlement account, the climate active transportation account, the climate transit programs account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the covenant homeownership account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community services account, the diesel idle reduction account, the opioid abatement settlement account, the drinking water assistance account, the administrative subaccount of the drinking water assistance account, the early learning facilities development account, the early learning facilities revolving account, the Eastern Washington University capital projects account, the education construction fund, the education legacy trust account, the election account, the electric vehicle account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the fair start for kids account, the family medicine workforce development account, the ferry bond retirement fund, the fish, wildlife, and conservation account, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the higher education retirement plan supplemental benefit fund, the Washington student loan account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the hospital safety net assessment fund, the Interstate 5 bridge replacement project account, the Interstate 405 and state route number 167 express toll lanes account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the limited fish and wildlife account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the money-purchase retirement savings

administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the move ahead WA account, the move ahead WA flexible account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the pilotage account, the pollution liability insurance agency underground storage tank revolving 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, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound Gateway facility account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the reserve officers' relief and pension principal fund, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the second injury fund, the sexual assault prevention and response account, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state hazard mitigation revolving loan account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state reclamation revolving account, the state route number 520 civil penalties account, the state route number 520 corridor account, the statewide broadband account, the statewide tourism marketing account, 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 toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the JUDY transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the University of Washington bond retirement fund, the University of Washington building account, the voluntary cleanup account, the volunteer firefighters' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the vulnerable roadway user education account, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' 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 patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond 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.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(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.

NEW SECTION. Sec. 14. The Washington sexual assault kit account was created in section 9, chapter 173, Laws of 2016, with an expiration date of June 30, 2022. Any residual balance of funds remaining in the Washington sexual assault kit account as of the date of the account's expiration must be transferred by the state treasurer to the fingerprint identification account no later than June 1, 2024.

NEW SECTION. Sec. 15. Any residual balance of funds remaining in any account abolished in this act on June 30, 2024, shall be transferred by the state treasurer to the state general fund.

NEW SECTION. Sec. 16. Except for sections 4 through 13 of this act, 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 June 1, 2024.

NEW SECTION. Sec. 17. (1) Sections 4 through 10 and 12 of this act take effect July 1, 2024.

(2) Section 11 of this act takes effect July 1, 2030.

(3) Section 13 of this act takes effect July 1, 2028.

NEW SECTION. Sec. 18. (1) Section 10 of this act expires July 1, 2030.

(2) Section 12 of this act expires July 1, 2028."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Robinson moved that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 6098.

Senators Robinson and Wilson, L. spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Robinson that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 6098.

The motion by Senator Robinson carried and the Senate concurred in the House amendment(s) to Engrossed Senate Bill No. 6098 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6098, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6098, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña,

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2024 REGULAR SESSION

Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

ENGROSSED SENATE BILL NO. 6098, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

- SUBSTITUTE HOUSE BILL NO. 1945,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1956,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2000,
- SUBSTITUTE HOUSE BILL NO. 2007,
- SECOND SUBSTITUTE HOUSE BILL NO. 2022,
- HOUSE BILL NO. 2032,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2039,
- SUBSTITUTE HOUSE BILL NO. 2045,
- SUBSTITUTE HOUSE BILL NO. 2056,
- SECOND SUBSTITUTE HOUSE BILL NO. 2071,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2099,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2118,
- SECOND SUBSTITUTE HOUSE BILL NO. 2124,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2131,
- HOUSE BILL NO. 2135,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2153,
- SUBSTITUTE HOUSE BILL NO. 2180,
- SUBSTITUTE HOUSE BILL NO. 2195,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2207,
- HOUSE BILL NO. 2213,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2236,
- ENGROSSED HOUSE BILL NO. 2266,
- SUBSTITUTE HOUSE BILL NO. 2347,
- SUBSTITUTE HOUSE BILL NO. 2348,
- SUBSTITUTE HOUSE BILL NO. 2381,
- SUBSTITUTE HOUSE BILL NO. 2396,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2441,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2494

MESSAGE FROM THE HOUSE

March 6, 2024

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6316 with the following amendment(s): 6316-S AMH ENGR H3502.E

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 47.01 RCW to read as follows:

(1)(a) The department may apply for deferral of state and local sales and use taxes on the site preparation for, the construction of, the acquisition of any related machinery and equipment that will become a part of, and the rental of equipment for use in, the state route number 520 corridor improvements - west end project.

(b) The application must be made to the department of revenue in a form and manner prescribed by the department of revenue.

The application must contain information regarding estimated or actual costs, time schedules for completion and operation, and other information required by the department of revenue. The department of revenue shall approve the application within 60 days if it meets the requirements of this section.

(2) The department of revenue shall issue a sales and use tax deferral certificate for state and local sales and use taxes imposed or authorized under chapters 82.08, 82.12, and 82.14 RCW and RCW 81.104.170 on the project. No new deferral certificates may be issued once the project is operationally complete as described in subsection (3) of this section.

(3) If the department is granted a tax deferral under this section, the department must begin paying the deferred taxes in the 24th year after the date certified by the department of revenue as the date on which the project is operationally complete. The project, which completes corridor improvements between Interstate 5 and the west high rise, is operationally complete under this section when the department notifies the department of revenue in writing that all projects qualifying for a deferral under this section are operationally complete. The first payment is due on December 31st of the 24th calendar year after the certified date, with subsequent annual payments due on December 31st of the following nine years. Each payment shall equal 10 percent of the deferred tax.

(4) The department of revenue may authorize an accelerated repayment schedule upon request of the department granted a deferral under this section.

(5) Interest shall not be charged on any taxes deferred under this section for the period of deferral, although all other penalties and interest applicable to delinquent excise taxes may be assessed and imposed for delinquent payments under this section. The debt for deferred taxes is not extinguished by insolvency or other failure of any private entity granted a deferral under this section.

(6) Applications and any other information received by the department of revenue under this section are not confidential and are subject to disclosure. Chapter 82.32 RCW applies to the administration of this section.

NEW SECTION. **Sec. 2.** The provisions of RCW 82.32.805 and 82.32.808 do not apply to section 1 of this act.

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."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Pedersen moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6316.

Senators Pedersen and King spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Pedersen that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6316.

The motion by Senator Pedersen carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6316 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6316, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6316, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Hasegawa

Excused: Senators Kauffman and Short

SUBSTITUTE SENATE BILL NO. 6316, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Liias: "Thank you, Mr. President, the passage of that measure marks the completion of our transportation budget work for this short session, and I want to just take a brief moment to thank the incredible Senate Committee Services staff and partisan staff that support us in this work.

I often will look up at the third floor of the Cherberg Building as I'm leaving, just to see if the lights are still on on the third floor, where our staff work. And almost every night when I'm leaving and we're all leaving, those lights are still on and they are continuing their diligent work on behalf of each of us.

I'm particularly fortunate to get to work with Kelly and Haley who lead the team, but also deeply grateful to Brandon and Brian and Jenna and Megan, Yukimi our committee assistant, and to both Democratic and Republican staff, Hannah and Martin.

The work of preparing a budget for our state is incredibly difficult and complex, and we are so fortunate to have dedicated tireless public servants who do this work year in and year out for us.

And I know that they're watching. It would be too great of a punishment to make them come here to the wings and receive our applause. I think they prefer to do it from the anonymity of TVW.

So, to the incredible folks who make us look good and help us deliver good value to the people of Washington, I want to say thank you."

PERSONAL PRIVILEGE

Senator King: "I just want to reiterate what the good Chair of Transportation just said about our staff.

The thing that I really like about it is when they tell you something, you can take that to the bank. They work hard. They understand the issues and the guidance that they give us is just incredible.

And I just want to know how much we appreciate everything they do.

Thank you, Mr. President."

MESSAGE FROM THE HOUSE

March 6, 2024

MR. PRESIDENT:

The House receded from its amendment(s) to ENGROSSED SENATE BILL NO. 5906. Under suspension of the rules, the bill

was returned to second reading for the purposes of amendment(s). The House adopted the following amendment(s): 5906.E AMH MACR H3499.2, and passed the bill as amended by the House.

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** A new section is added to chapter 43.70 RCW to read as follows:

(1) The department shall develop, implement, and maintain a statewide drug overdose prevention and awareness campaign to address the drug overdose epidemic.

(2)(a) The campaign must educate the public about the dangers of methamphetamines and opioids, including fentanyl, and the harms caused by drug use. The campaign must include outreach to both youth and adults aimed at preventing substance use and overdose deaths.

(b) The department, in consultation with the health care authority, may also include messaging focused on substance use disorder and overdose death prevention, resources for addiction treatment and services, and information on immunity for people who seek medical assistance in a drug overdose situation pursuant to RCW 69.50.315.

(3) The 2024 and 2025 campaigns must focus on increasing the awareness of the dangers of fentanyl and other synthetic opioids, including the high possibility that other drugs are contaminated with synthetic opioids and that even trace amounts of synthetic opioids can be lethal.

(4) Beginning June 30, 2025, and each year thereafter, the department must submit a report to the appropriate committees of the legislature on the content and distribution of the statewide drug overdose prevention and awareness campaign. The report must include a summary of the messages distributed during the campaign, the mediums through which the campaign was operated, and data on how many individuals received information through the campaign. The department must identify measurable benchmarks to determine the effectiveness of the campaign and recommend whether the campaign should continue and if any changes should be made to the campaign. The report must be submitted in compliance with RCW 43.01.036.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2024, in the omnibus appropriations act, this act is null and void."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Wilson, L. moved that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 5906.

Senator Wilson, L. spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Wilson, L. that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 5906.

The motion by Senator Wilson, L. carried and the Senate concurred in the House amendment(s) to Engrossed Senate Bill No. 5906 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5906, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5906, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

ENGROSSED SENATE BILL NO. 5906, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

- SUBSTITUTE HOUSE BILL NO. 1012,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1185,
- SECOND SUBSTITUTE HOUSE BILL NO. 1205,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1248,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1277,
- SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1282,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1300,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1368,
- SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1377,
- HOUSE BILL NO. 1471,
- SECOND SUBSTITUTE HOUSE BILL NO. 1551,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589,
- HOUSE BILL NO. 1635,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1652,
- SUBSTITUTE HOUSE BILL NO. 1851,
- SUBSTITUTE HOUSE BILL NO. 1870,
- SECOND SUBSTITUTE HOUSE BILL NO. 1877,
- SUBSTITUTE HOUSE BILL NO. 1924,
- HOUSE BILL NO. 1943,
- SUBSTITUTE HOUSE BILL NO. 2226,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2247,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2301,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2331,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2354,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2384,
- HOUSE BILL NO. 2416,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2482,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5950.

MESSAGE FROM THE HOUSE

MR. PRESIDENT:

The House recessed from its amendment(s) to ENGROSSED SUBSTITUTE SENATE BILL NO. 6069. Under suspension of the rules, the bill was returned to second reading for the purposes of amendment(s). The House adopted the following amendment(s): 6069-S.E AMH ENGR H3503.E, and passed the bill as amended by the House.

Strike everything after the enacting clause and insert the following:

**"PART I
WASHINGTON SAVES**

NEW SECTION. **Sec. 1.** ESTABLISHMENT. (1) Washington saves is established to serve as a vehicle through which covered employees may, on a voluntary basis, provide for additional retirement security through a state-facilitated retirement savings program in a convenient, cost-effective, and portable manner.

(2) Washington saves is intended as a public-private partnership that will encourage, not replace or compete with, employer-sponsored retirement plans.

(3) Washington saves must be designed in consultation with covered employers and covered employees to ensure that the businesses and workers intended to benefit from the program are provided ample opportunity to learn about and give input on the program design and timeline for implementation before the program is made publicly available.

NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Administrative account" means the Washington saves administrative treasury trust account created in section 11 of this act.

(2) "Administrative agency" means the state agency or office that will provide administrative support to the governing board, beginning no later than July 1, 2027.

(3) "Complainant" means a covered employee, or that employee's designee who has written or legal authority to act on behalf of the employee, who files a complaint alleging an employer administrative violation of section 3 of this act who learned of the alleged violation by way of their employment with a covered employer.

(4) "Consumer price index" means the consumer price index for all urban consumers, all items, for the Seattle area as calculated by the United States bureau of labor statistics or its successor agency.

(5) "Covered employee" means an individual who is 18 years of age or older, who is employed by a covered employer.

(6) "Covered employer" means any employer that:

(a) Has been in business in this state for at least two years as of the immediately preceding calendar year;

(b) Maintains a physical presence;

(c) Does not offer a qualified retirement plan to their covered employees who have had continuous employment of one year or more; and

(d) Employs, and at any point during the immediately preceding calendar year employed, employees working a combined minimum of 10,400 hours.

(7) "Department" means the department of labor and industries.

(8) "Employer" means a person or entity engaged in a business, profession, trade, or other enterprise in the state, whether for profit or not for profit. "Employer" does not include federal or state entities, agencies, or instrumentalities, or any political subdivision thereof.

(9) "Employer administrative duties" include all requirements

of covered employers under section 3 of this act that do not involve amounts due to the employee.

(10) "Employment" has the same meaning as in RCW 50.04.100.

(11) "Governing board" means the board created in section 4 of this act.

(12) "Individual account" means an IRA established by or for an individual participant and owned by the individual participant pursuant to this chapter.

(13) "Individual participant" means any individual who is contributing to, or has a balance credited in, an IRA through the program.

(14) "Internal revenue code" means the federal internal revenue code of 1986, as amended, or any successor law.

(15) "IRA" means a traditional or Roth individual retirement account or individual retirement annuity described in section 408(a), 408(b), or 408A of the internal revenue code.

(16) "Payroll deduction IRA agreement" means an arrangement by which a participating employer makes payroll deductions authorized by this chapter and remits amounts deducted as contributions to IRAs on behalf of individual participants.

(17) "Program" means the Washington saves program established under this chapter.

(18) "Qualified retirement plan" means a retirement plan in compliance with applicable federal law for employees including those described in section 401(a), 401(k), 403(a), 403(b), 408(k), or 408(p) of the internal revenue code. A qualified retirement plan may require continuous employment of up to one year to be eligible for employee participation.

(19) "Wages" means any commission, compensation, salary, or other remuneration, as defined by section 219(f)(1) of the internal revenue code, received by a covered employee from a covered employer.

NEW SECTION. Sec. 3. GENERAL PROVISIONS. (1) The program:

(a) Allows covered employees to contribute to an IRA through automatic payroll deductions or additional retirement savings vehicles;

(b) Requires covered employers to fulfill the requirements provided in subsection (3) of this section;

(c) Facilitates automatic enrollment for covered employees and allows for covered employees to opt out of the plan at any time;

(d) Has a default contribution rate, set by the governing board by rule. The default contribution rate may not be less than three percent or more than seven percent of wages; and

(e) Has a default escalation rate, set by the governing board by rule. The default escalation rate may not exceed one percent per year. The maximum contribution rate based on the default escalation rate may not exceed 10 percent of wages.

(2)(a) Covered employees, who do not opt out of the program, are automatically enrolled in the program at the default rate or at an amount expressly specified by the employee in connection with the payroll deduction IRA agreement. Individual participants may modify their contribution rates or amounts or terminate their participation in the program at any time, subject to procedure defined by rule by the governing board. All contribution amounts are subject to the dollar limits on contributions provided by federal law.

(b) Contributions must be invested in the default investment option unless the individual participant affirmatively elects to invest some or all balances in one or more approved investment options offered by the program. An individual participant must have the opportunity to change investments for either future contributions or existing balances, or both, subject to requirements defined by rule by the governing board.

(c) Individual accounts are portable. A former individual participant who is either unemployed, or is employed by a noncovered employer, must be permitted to contribute to their individual account.

(d) An individual participant's and former individual participant's ability to withdraw, roll over, or transfer account balances is subject to, and liable for, all fees, penalties, and taxes under applicable law.

(e) An individual participant's or former individual participant's ability to receive distributions of contributions and earnings is subject to applicable law.

(3)(a) Each covered employer must facilitate the opportunity for covered employees to participate in the program by fulfilling the following administrative duties, as defined by rule by the governing board:

(i) Register with the program and provide the program administrator relevant information about covered employees;

(ii)(A) Assist the program by offering all covered employees the choice to either participate by voluntarily contributing to an IRA or opt out; or

(B) Automatically enroll covered employees in a qualified retirement plan offered by a trade association or chamber of commerce and permit covered employees to opt out;

(iii) Timely remit participant contributions; and

(iv) Distribute program information and disclosures to covered employees, as provided in section 4(14) of this act.

(b) The employers' role in the program is solely ministerial. In accordance with federal law, employers are prohibited from contributing funds to the IRAs through the program.

(c) Employers are not fiduciaries with respect to, or are liable for, the program, related information, educational materials, or forms or disclosures approved by the governing board, or the selection or performance of vendors selected by the governing board. An employer is not responsible for or obligated to monitor a covered employee's or individual participant's decision to participate in or opt out of the program, for contribution decisions, investment decisions, or failure to comply with the statutory eligibility conditions or limits on IRA contributions. An employer does not guarantee any investment, rate of return, or interest on assets in any individual participant account or the administrative account or is liable for any market losses, failure to realize gains, or any other adverse consequences, including the loss of favorable tax treatment or public assistance benefits, incurred by any person as a result of participating in the program. Nothing in this section relieves an employer from liability for criminal, fraudulent, tortious, or otherwise actionable conduct including liability related to the failure to remit employee contributions.

(4)(a) The governing board must determine the type or types of IRA accounts available under the program.

(b) An individual participant's contributions and earnings may be combined for investment and custodial purposes only. Separate records and accounting are required for individual accounts. Reports on the status of individual accounts must be provided to each individual participant at least annually. Individual participants must have online access to their accounts.

(c) Any moneys placed in these accounts may not be counted as assets for the purposes of state or local means-tested program eligibility or levels of state means-tested program eligibility.

NEW SECTION. Sec. 4. GOVERNING BOARD—RESPONSIBILITIES. (1) The governing board shall design and administer the program for the exclusive benefit of individual participants and beneficiaries with the care and skill of a knowledgeable, prudent individual.

(2) The governing board is comprised of 15 members as follows:

(a) The president of the senate shall appoint one member from

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each of the two largest caucuses of the senate;

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

(c) The state treasurer;

(d) The director of the department or the director's designee; and

(e) The following members representing the diversity and geography of the state, appointed by the governor:

(i) One member representing the securities industry;

(ii) One member representing the insurance industry;

(iii) One member who is a certified financial planner recommended by the national association of insurance and financial advisors of Washington;

(iv) One member representing the interests of small, independent businesses in Washington;

(v) One member representing the interests of minority-owned and women-owned businesses in Washington;

(vi) One member representing the Washington asset building coalition;

(vii) One member representing a retirement advocacy organization;

(viii) One member representing covered employees; and

(ix) One member representing covered employers.

(3)(a) The legislative member from the majority caucus of the house of representatives shall convene the initial meeting of the governing board. The governing board shall choose cochairs selected from the legislative membership for the design stage of the program until July 1, 2027. The governing board shall provide recommendations in the legislative report about who should be the chair of the governing board once the program is operational after July 1, 2027.

(b) After July 1, 2027, the legislative members of the governing board serve in an ex officio, advisory role to the governing board.

(4) Members who are appointed by the governor serve three-year terms and may be appointed for a second three-year term at the discretion of the governor. Members who are appointed by the governor may serve up to two terms over the course of their lifetime. The governor may stagger the terms of the appointed members.

(5) The governing board may appoint work groups to support the design and administration of the program. Work groups do not serve a voting function on the governing board and may include individuals who are not members of the governing board. Any work group established by the governing board is a class one group under RCW 43.03.220. Work group members receive compensation accordingly.

(6) Other state agencies must provide appropriate and reasonable assistance to the program as needed, including gathering data and information, in order for the governing board to carry out the purposes of this chapter. The governing board may reimburse the other state agencies from the administrative account for reasonable expenses incurred in providing appropriate and reasonable assistance.

(7)(a) The governing board must begin meeting in 2025.

(b) The governing board may conduct meetings remotely by teleconference or videoconference, including to obtain a quorum and to take votes on any measure.

(c) Each voting governing board member has one vote. The powers of the governing board must be exercised by a majority of all voting members present at the meeting of the governing board, whether in person or remotely. A quorum is required to convene a meeting of the governing board and to act on any measure before the governing board.

(8) The governing board shall establish, design, develop,

implement, maintain, and oversee the program in accordance with this chapter and best practices for retirement saving vehicles.

(9) Staff support for the governing board shall be provided by:

(a) The department of financial institutions, until no later than June 30, 2027. The department of financial institutions may contract with a third-party entity to provide assistance or expertise during the program outreach and education, design, and implementation stage if approved by the governing board; and

(b) The administrative agency, beginning no later than July 1, 2027.

(10) The governing board shall conduct an outreach and education initiative regarding the design and implementation of the program. The governing board shall consult, educate, and receive feedback from covered employers and covered employees regarding the program design and implementation. The outreach and education initiative must ensure that diverse employer and employee communities are consulted, that interpreters are provided, and that written documents and materials are translated. In order to facilitate accessibility for diverse affected businesses and employees, the governing board shall work with the various state commissions to develop culturally and linguistically responsive outreach and education plans.

(11) Regarding investments, the governing board:

(a) Has the sole responsibility for contracting with outside firms to provide investment management for the program funds and manage the performance of investment managers under those contracts;

(b) Must adopt an investment policy statement and ensure that the investment options offered, including default investment options, are consistent with the objectives of the program. The menu of investment options may encompass a range of risk and return opportunities and must take the following into account:

(i) The nature and objectives of the program;

(ii) The diverse needs of individual participants;

(iii) The desirability of limiting investment choices under the program to a reasonable number; and

(iv) The extensive investment choices available to participants outside of the program.

(12) Regarding the design of the program, the governing board must:

(a) Ensure the program is designed and operated in a manner that will not cause it to be subject to or preempted by the federal employment retirement income security act of 1974, as amended, and that any employer that is not a covered employer shall have no reporting or registration obligation or requirement to take any action under the program other than to claim an exemption from coverage by the program;

(b) Design and operate the program to:

(i) Minimize costs to individual participants, covered employers, and the state;

(ii) Minimize the risk that covered employees will exceed applicable annual contribution limits;

(iii) Facilitate and encourage employee participation in the program and participant saving;

(iv) Maximize simplicity, including ease of administration for covered employers and ease of use for individual participants;

(v) Provide a simple process for covered employees to opt out of the program at any time or modify their payroll deductions;

(vi) Maximize portability of individual accounts;

(vii) Maximize financial security in retirement; and

(viii) Maximize the availability of funds to individual participants with a goal of having funds available within three business days following the remittance of payroll deductions by covered employers, if feasible;

(c) Design the program to be compliant with all applicable

requirements under the internal revenue code, including requirements for favorable tax treatment of IRAs, and any other applicable law or regulation;

(d) Consult with the department of financial institutions, the department, the office of minority and women's business enterprises, and the office of the secretary of state to create a strategy to educate and inform covered employers about employer administrative duties under this chapter, including the development of culturally relevant and responsive approaches centered in cultural humility with outreach to employers that are considered socially vulnerable, historically marginalized, or face cultural or language barriers to participate in workplace retirement savings programs;

(e) Launch the program by July 1, 2027. The board may stagger implementation in stages after that date, which may include phasing in implementation based on the size of employers, or other factors.

(13) The governing board may adopt rules to govern the program, including to govern the following:

(a) Employee registration and enrollment process;

(b) Employee alternative election procedure including, but not limited to, the method in which a participating individual may opt out of participation at any time, change their contribution rate, opt out of auto-escalation, make nonpayroll contributions, and make withdrawals;

(c) Contribution limits, the initial automatic default contribution rate, and the automatic default escalation rate;

(d) Outreach, marketing, and educational initiatives or publication of online resources, encouragement of participation, retirement savings, and sound investment practices. Outreach, marketing, and educational initiatives must promote cultural humility and engage culturally relevant and responsive approaches while including special consideration for socially vulnerable communities historically, or are known to often be, excluded from, marginalized by, or face barriers to participation in workplace retirement savings programs; and

(e) A process in which individuals who are not covered employees may participate in the program, including unemployed individuals, self-employed individuals, and other independent contractors.

(14) The governing board shall develop:

(a) Information regarding the program;

(b) The following disclosures:

(i) A description of the benefits and risks associated with making contributions under the program;

(ii) Instructions about how to obtain additional information about the program;

(iii) A description of the tax consequences of an IRA, which may consist of or include the disclosure statement required to be distributed by the trustee under the internal revenue code and treasury regulations thereunder;

(iv) A statement that covered employees seeking financial advice should contact their own financial advisers, that covered employers are not in a position to provide financial advice, and that covered employers are not liable for decisions covered employees make under this chapter;

(v) A statement that the program is not an employer-sponsored retirement plan;

(vi) A statement that the covered employee's IRA established under the program is not guaranteed by the state;

(vii) A statement that the program is voluntary for covered employees, and a covered employee may opt out of the program at any time; and

(viii) A statement that neither a covered employer nor the state will monitor or has an obligation to monitor the covered employee's eligibility under the internal revenue code to make

contributions to an IRA or to monitor whether the covered employee's contributions to the IRA established for the covered employee exceed the maximum permissible IRA contribution; that it is the covered employee's responsibility to monitor such matters; and that the state, the program, and the covered employer have no liability with respect to any failure of the covered employee to be eligible to make IRA contributions or any contribution in excess of the maximum IRA contribution;

(c) Information, forms, and instructions to be furnished to covered employees, at such times as the governing board determines, that provide the covered employee with the procedures for:

(i) Making contributions to the covered employee's IRA established under the program, including a description of the automatic enrollment rate, the automatic escalation rate and frequency, the right to elect to make no contribution or to change the contribution rate under the program, and how to opt out of the program at any time;

(ii) Making an investment election with respect to the covered employee's IRA established under the program, including a description of the default investment fund; and

(iii) Making transfers, rollovers, withdrawals including instructions on how to access funds, and other distributions from the covered employee's IRA.

(15) The governing board must evaluate options to assist covered employees and employers to identify private sector providers of financial advice, to the extent feasible and unless prohibited by state or federal laws. The governing board must consider options including, but not limited to, a website established and maintained by the governing board.

(16) The governing board may create or enter into, on behalf of the program, a consortium, alliance, joint venture, partnership, compact, or contract with another state or states or their programs or boards.

(17) The governing board must collect administrative fees to defray the costs of administering the program. If the governing board creates or enters into a joint program agreement, as provided in subsection (16) of this section, the rate of the administrative fee for covered employees may not exceed the rate charged to covered employees of another state participating in the same program.

(18) The governing board, its members, and the administrative agency are not individually or collectively insurers of the funds or assets of the investment fund or individual accounts. Neither the governing board nor the administrative agency is liable for the action or inaction of the other.

(19) The governing board, its members, and the administrative agency are not individually or collectively liable to the state, to the fund, or to any other person as a result of their activities as members or staff, whether ministerial or discretionary, except for willful dishonesty or intentional violation of law. The governing board, its members, and the administrative agency may purchase liability insurance.

(20) The governing board shall submit progress reports to the appropriate committees of the legislature, in accordance with RCW 43.01.036.

(a) The first preliminary report is due December 1, 2025, and must include feedback to the legislature on the proposed timeline set forth under this chapter and progress on outreach initiatives and program implementation.

(b) The final report on program design and implementation recommendations is due December 1, 2026, and must include the following:

(i) A comprehensive summary of outreach activities conducted by the governing board to receive feedback on design elements and implementation for the program, including:

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- (A) Types of outreach conducted;
- (B) Specific calendar dates and time frames in which outreach occurred;
- (C) Covered employers and covered employees who were contacted;
- (D) Subject matters discussed regarding the program and proposed program structure;
- (E) The types of retirement account programs covered employers and covered employees preferred;
- (F) Explanations of concerns received during the outreach activities and how those concerns were addressed;
 - (i) Recommendations on whether the legislature should make changes to the program's structure or whether any statutory changes need to occur; and
 - (ii) Recommendations regarding the governing board structure, including who should chair the governing board and what entity should serve as the administrative agency that provides staff support to the governing board once the program is established and operational. The governing board shall consider a potential new agency, an existing state agency, or the office of a stand-alone statewide elected official for the administrative agency.
- (c) Annual reports including program updates and program information must begin December 1, 2028, and include information on:
 - (i) Participation;
 - (ii) Account performance;
 - (iii) Board decisions; and
 - (iv) Any recommendations to the legislature regarding the program.

(21) The governing board may consult with the state investment board and the department of financial institutions regarding program design and implementation.

(22) The governing board shall assure any administrative contract services for the program provide culturally responsive and relevant supports rooted in cultural humility while including special considerations for socially vulnerable communities historically, or are known to often be, excluded from, marginalized by, or face barriers to participation in workplace retirement savings programs.

NEW SECTION. Sec. 5. INVESTMENT MANAGER—RESPONSIBILITIES. (1)(a) After consultation with the governing board, the investment manager may invest funds associated with the program. The investment manager, after consultation with the governing board regarding any recommendations, must provide a set of options for eligible individuals to choose from for self-directed investment. Any self-directed investment options must comply with the internal revenue code.

(b) All investment and operating costs of the investment manager associated with making self-directed investments must be paid by participants and recovered under procedures agreed to by the governing board and the investment manager. All other expenses caused by self-directed investments must be paid by the participant in accordance with the rules established by the governing board. With the exception of these expenses, all earnings from self-directed investments accrue to the individual accounts.

(2) The investment manager must invest and manage the assets entrusted to it:

- (a) With reasonable care, skill, prudence, and diligence under circumstances then prevailing which a prudent person acting in a like capacity and familiar with such matters would use to conduct of an activity of like character and purpose; and
- (b) In accordance with the investment policy established by the

governing board.

(3) The authority to establish all policies relating to implementation, design, and management of the program resides with the governing board.

(4) The investment manager must routinely consult and communicate with the governing board on the investment policy, performance of the accounts, and related needs of the program.

NEW SECTION. Sec. 6. LABOR AND INDUSTRIES—RESPONSIBILITIES. (1) The department has the following responsibilities related to covered employers, as provided in this chapter:

- (a) Educate participating employers of their administrative duties under this chapter;
- (b) In the case of noncompliance with employer administrative duties, investigate complaints, educate employers about how to come into compliance, and, in the case of willful violations, issue citations and collect penalties;
- (c) In the case of impermissible withholding of amounts due to employees, investigate and enforce the complaint as an alleged violation of a wage payment requirement, as defined in RCW 49.48.082; and
- (d) Facilitate a process in which employers may appeal complaints.

(2) Collections of unpaid citations assessing civil penalties by the department under this chapter must be made pursuant to RCW 49.48.086.

NEW SECTION. Sec. 7. LABOR AND INDUSTRIES—COMPLIANCE WITH EMPLOYER ADMINISTRATIVE DUTIES. (1) Covered employers shall comply with employer administrative duties provided under this chapter.

(2) If a complainant files a complaint with the department alleging any administrative violation, the department shall investigate the complaint and:

- (a) If the complaint is filed before January 1, 2030, offer technical assistance to the employer to bring them into compliance. Civil penalties may not be assessed before January 1, 2030;
- (b) If the complaint is filed on or after January 1, 2030, educate the employer on how to come into compliance and, if necessary and as provided in this section, enforce penalties for willful violations.

(3) The department may not investigate any alleged violation of rights that occurred more than three years before the date that the complainant filed the complaint.

(4)(a) If the department finds an employer administrative violation, the department must first provide an educational letter outlining the violations and provide 90 days for the employer to remedy the violations. The employer may ask for an extension for good cause. The department may extend the period by providing written notice to the employee and the employer, specifying the duration of the extension. If the employer fails to remedy the violation within 90 days, the department may issue a citation and notice of assessment with a civil penalty.

(b) Except as provided otherwise in this chapter, the maximum penalty for a first-time willful violation is \$100 and \$250 for a second willful violation. For the purposes of this section, "willful" means a knowing and intentional action that is neither accidental nor the result of a bona fide dispute. For each subsequent willful violation, the employer is subject to a maximum penalty amount of \$500 for each violation.

(c) The department may not assess a civil penalty if the employer reasonably relied on: (i) A rule related to any of the requirements of this chapter; (ii) a written order, ruling, approval, opinion, advice, determination, or interpretation of the director of the department; or (iii) an interpretive or administrative policy

issued by the department and filed pursuant to chapter 34.05 RCW. In accordance with the department's retention schedule obligations under chapter 40.14 RCW, the department shall maintain a complete and accurate record of all written orders, rulings, approvals, opinions, advice, determinations, and interpretations for purposes of determining whether an employer is immune from civil penalties under (b) of this subsection.

(5) The department may, at any time, waive or reduce a civil penalty assessed under this section if the director of the department determines that the employer has taken corrective action to resolve the violation.

(6) The department shall deposit all civil penalties paid under this section in the supplemental pension fund established under RCW 51.44.033.

NEW SECTION. Sec. 8. LABOR AND INDUSTRIES—ADMINISTRATIVE CITATION APPEALS. (1) A person, firm, or corporation aggrieved by a citation and notice of assessment by the department under this chapter may appeal the citation and notice of assessment to the director of the department by filing a notice of appeal with the director within 30 days of the department's issuance of the citation and notice of assessment. A citation and notice of assessment not appealed within 30 days is final and binding, and not subject to further appeal.

(2) A notice of appeal filed with the director of the department under this section must state the effectiveness of the citation and notice of assessment pending final review of the appeal by the director as provided for in chapter 34.05 RCW.

(3) Upon receipt of a notice of appeal, the director of the department must assign the hearing to an administrative law judge of the office of administrative hearings to conduct the hearing and issue an initial order. The hearing and review procedures must be conducted in accordance with chapter 34.05 RCW, and the standard of review by the administrative law judge of an appealed citation and notice of assessment must be de novo. Any party who seeks to challenge an initial order must file a petition for administrative review with the director within 30 days after service of the initial order. The director must conduct administrative review in accordance with chapter 34.05 RCW.

(4) The director of the department must issue all final orders after appeal of the initial order. The final order of the director is subject to judicial review in accordance with chapter 34.05 RCW.

(5) Orders that are not appealed within the time period specified in this section and chapter 34.05 RCW are final and binding, and not subject to further appeal.

(6) An employer who fails to allow adequate inspection of records in an investigation by the department under this section within a reasonable time period may not use such records in any appeal under this section to challenge the correctness of any determination by the department of the penalty assessed.

NEW SECTION. Sec. 9. LABOR AND INDUSTRIES—ENFORCEMENT OF AMOUNTS DUE. (1) Employers may not impermissibly withhold any amounts due to the employee related to the employer's obligations under section 3 of this act. If any employee files a complaint with the department alleging that the employer impermissibly withheld any amounts due to the employee related to the employer's obligations under section 3 of this act, the department shall investigate and otherwise enforce the complaint as an alleged violation of a wage payment requirement, as defined in RCW 49.48.082.

(2) During an investigation, if the department discovers information suggesting additional violations of impermissibly withheld amounts due to the employees related to the employer's obligations under section 3 of this act, the department may investigate and take appropriate enforcement action without any additional complaint. The department may also initiate an investigation on behalf of one or more employees for any such

violation when the director otherwise has reason to believe that a violation has occurred or will occur.

(3) The department may conduct a consolidated investigation for any alleged withheld amounts due to the employees related to the employer's obligations under section 3 of this act when there are common questions of law or fact involving the employees. If the department consolidates such matters into a single investigation, it shall provide notice to the employer.

(4) The department may, for the purposes of enforcing this section, issue subpoenas to compel the attendance of witnesses or parties and the production of documents, administer oaths and examine witnesses under oath, take depositions, and seek affidavits or other verifications. The department may require the employer perform a self-audit of any records. The results or conclusions of the self-audit must be provided to the department within a reasonable time. The department must specify the timelines in the self-audit request. The records examined by the employer in order to perform the self-audit must be made available to the department upon request.

(5) Any citation or determination of compliance issued under this section is subject to RCW 49.48.083, 49.48.084, 49.48.085, and 49.48.086.

NEW SECTION. Sec. 10. PRIVATE AND CONFIDENTIAL INFORMATION. (1) Any information or records concerning an individual or employer obtained by the administrative agency or the governing board to administer this chapter are private and confidential, except as otherwise provided in this section.

(a) If information provided to the administrative agency or the governing board by a governmental agency is held private and confidential by state or federal law, the administrative agency and the governing board may not release such information, unless otherwise provided in this section.

(b) Information provided to the administrative agency or the governing board by a governmental entity conditioned upon privacy and confidentiality under a provision of law is to be held private and confidential according to the agreement between the administrative agency or the governing board and the other governmental agency, unless otherwise provided in this title.

(2) Persons requesting disclosure of information held by the administrative agency or the governing board under this section must request such disclosure from the governmental agency that provided the information to the administrative agency or the governing board, rather than from the administrative agency or the governing board.

(3) If the governing board creates or enters into, on behalf of the program, a consortium, alliance, joint venture, partnership, compact, or contract with another state or states or their programs or boards, the laws of the state that is most protective of individual and employer confidentiality governs.

(4) The governing board has the authority to adopt, amend, or rescind rules interpreting and implementing this chapter.

(5)(a) An individual must have access to all records and information concerning that individual held by the administrative agency or the governing board.

(b) An employer must have access to its own records relating to their compliance with the program and any audit conducted or penalty assessed under this chapter.

(c) The administrative agency or the governing board may disclose information and records deemed confidential under this chapter to a third party acting on behalf of an individual or employer that would otherwise be eligible to receive records under this section when the administrative agency or the governing board receives a signed release from the individual or employer. The release must include a statement:

(i) Specifically identifying the information that is to be

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disclosed;

(ii) The acknowledgment that state government files will be assessed to obtain that information;

(iii) The specific purpose for which the information is sought and a statement that information obtained under the release will only be used for that purpose; and

(iv) Indicating all parties who will receive the information disclosed.

(d) The administrative agency or the governing board may disclose information or records deemed private and confidential under this chapter to any private person or organization, including the trustee, and, by extension, the agents of any private person or organization, when the disclosure is necessary to permit private contracting parties to assist in the operation, management, and implementation of the program. The private person or organization may only use the information or records solely for the purpose for which the information was disclosed and are bound by the same rules of privacy and confidentiality as the administrative agency and the governing board.

(6)(a) A decision under this chapter by the administrative agency, the department, the governing board, or the appeals tribunal may not be deemed private and confidential under this section, unless the decision is based on information obtained in a closed hearing.

(b) Information or records deemed private and confidential under this section must be available to parties to judicial or formal administrative proceedings only upon a written finding by the presiding officer that the need for the information or records in the proceeding outweighs any reasons for the privacy and confidentiality of the information on record.

(7)(a) All private persons, governmental agencies, and organizations authorized to receive information from the administrative agency or the governing board under this chapter have an affirmative duty to prevent unauthorized disclosure of confidential information and are prohibited from disclosing confidential information unless expressly permitted by this section.

(b) If misuse of an unauthorized disclosure of confidential records or information occurs, all parties who are aware of the violation must inform the administrative agency immediately and must take all reasonable available actions to rectify the disclosure to the administrative agency standards.

(c) The misuse or unauthorized release of records or information deemed private and confidential under this chapter by any private person, governmental agency, or organization will subject the person, governmental agency, or organization to a civil penalty of up to \$20,000 in the first year of the program. Beginning in December of the second year of the program and each December thereafter, the administrative agency must adjust the maximum civil penalty amount by multiplying the current maximum civil penalty by one plus the percentage by which the most current consumer price index available on December 1st of the current year exceeds the consumer price index for the prior 12-month period, and rounding the result to the nearest \$1,000. If an adjustment under this subsection (7)(c) would reduce the maximum civil penalty, the administrative agency must not adjust the maximum civil penalty for use in the following year. Other applicable sanctions under state and federal law also apply.

(d) Suit to enforce this section must be brought by the attorney general and the amount of any penalties collected must be paid into the administrative account created in section 11 of this act. The attorney general may recover reasonable attorneys' fees for any action brought to enforce this section.

(8) This section does not contain a rule of evidence.

NEW SECTION. Sec. 11. WASHINGTON SAVES

ADMINISTRATIVE TREASURY TRUST ACCOUNT. (1) The Washington saves administrative treasury trust account is created in the custody of the state treasurer.

(2) Expenditures from the account may be used only for the purposes of administrative and operating expenses of the program established under this chapter.

(3) Only the director of the administrative agency or the director's designee may authorize expenditures from the account. The account is exempt from appropriation and allotment provisions under chapter 43.88 RCW.

(4) The account may receive grants, gifts, or other moneys appropriated for administrative purposes from the state and the federal government.

(5) Any interest incurred by the account will be retained within the account.

NEW SECTION. Sec. 12. INVESTMENT ACCOUNT.

(1) The Washington saves investment account is established as a trust, with the governing board created under this chapter as its trustee.

(2)(a) Moneys in the account consist of moneys received from individual participants and participating employers pursuant to automatic payroll deductions and contributions to savings made under this chapter. The governing board shall determine how the account operates, provided that the account is operated so that the individual accounts established under the program meet the requirements for IRAs under the internal revenue code.

(b) The assets of the account are not state money, common cash, or revenue to the state. Amounts in the account may not be commingled with state funds and the state has no claim to or against, or interest in, such funds.

(3) Disbursements from the account are exempt from appropriations and the allotment provisions of chapter 43.88 RCW. An appropriation is not required for expenditures.

(4) Only the governing board or the governing board's designee may authorize expenditures from the account.

PART II

RETIREMENT MARKETPLACE

NEW SECTION. Sec. 13. RCW 43.330.730 (Finding—2015 c 296) is decodified.

Sec. 14. RCW 43.330.732 and 2015 c 296 s 2 are each amended to read as follows:

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

(1) "Approved plans" means retirement plans offered by private sector financial services firms that meet the requirements of this chapter to participate in the marketplace.

(2) "Balanced fund" means a mutual fund that has an investment mandate to balance its portfolio holdings. The fund generally includes a mix of stocks and bonds in varying proportions according to the fund's investment outlook.

(3) "Eligible employer" means a self-employed individual, sole proprietor, or an employer with ~~((fewer than))~~ at least one ~~((hundred))~~ qualified employee~~((s))~~ at the time of enrollment.

(4) "Enrollee" means any employee who is voluntarily enrolled in an approved plan offered by an eligible employer through the Washington small business retirement marketplace.

(5) ~~("myRA" means the myRA retirement program administered by the United States department of the treasury that is available to all employers and employees with no fees or no minimum contribution requirements. A myRA is a Roth IRA option and investments in these accounts are backed by the United States department of the treasury.~~

~~(6))~~ "Participating employer" means any eligible employer with employees enrolled in an approved plan offered through the Washington small business retirement marketplace who chooses

to participate in the marketplace and offers approved plans to employees for voluntary enrollment.

~~((7))~~ ~~(6)~~ "Private sector financial services firms" or "financial services firms" mean persons or entities licensed or holding a certificate of authority and in good standing by either the department of financial institutions or the office of the insurance commissioner and meeting all federal laws and regulations to offer retirement plans.

~~((8))~~ ~~(7)~~ "Qualified employee" means those workers who are defined by the federal internal revenue service to be eligible to participate in a specific qualified plan.

~~((9))~~ ~~(8)~~ "Target date or other similar fund" means a hybrid mutual fund that automatically resets the asset mix of stocks, bonds, and cash equivalents in its portfolio according to a selected time frame that is appropriate for a particular investor. A target date is structured to address a projected retirement date.

~~((10))~~ ~~(9)~~ "Washington small business retirement marketplace" or "marketplace" means the retirement savings program created to connect eligible employers and their employees with approved plans to increase retirement savings.

Sec. 15. RCW 43.330.735 and 2017 c 69 s 1 are each amended to read as follows:

(1) The Washington small business retirement marketplace is created.

(2) Prior to connecting any eligible employer with an approved plan in the marketplace, the director shall design a plan for the operation of the marketplace.

(3) The director shall consult with the Washington state department of retirement systems, the Washington state investment board, and the department of financial institutions in designing and managing the marketplace.

(4) The director shall approve for participation in the marketplace all private sector financial services firms ~~((that meet the requirements of)), as defined in RCW 43.330.732~~~~((7))~~.

(5) A range of investment options must be provided to meet the needs of investors with various levels of risk tolerance and various ages. The director must approve a diverse array of private retirement plan options that are available to employers on a voluntary basis, including but not limited to life insurance plans that are designed for retirement purposes, and plans for eligible employer participation such as ~~((a) a SIMPLE IRA-type plan that provides for employer contributions to participating enrollee accounts; and (b) a payroll deduction individual retirement account type plan or workplace based individual retirement accounts open to all workers in which the employer does not contribute to the employees' account))~~.

(6)(a) Prior to approving a plan to be offered on the marketplace, the department must receive verification from the department of financial institutions or the office of the insurance commissioner:

(i) That the private sector financial services firm offering the plan meets the ~~((requirements of))~~ definition in RCW 43.330.732~~((7))~~; and

(ii) That the plan meets the requirements of this section excluding subsection (9) of this section which is subject to federal laws and regulations.

(b) If the plan includes either life insurance or annuity products, or both, the office of the insurance commissioner may request that the department of financial institutions conduct the plan review as provided in (a)(ii) of this subsection prior to submitting its verification to the department.

(c) The director may remove approved plans that no longer meet the requirements of this chapter.

(7) The financial services firms participating in the marketplace must offer a minimum of two product options: (a) A target date or other similar fund, with asset allocations and maturities

designed to coincide with the expected date of retirement and (b) a balanced fund. ~~((The marketplace must offer myRA.))~~

(8) In order for the marketplace to operate, there must be at least two approved plans on the marketplace; however, nothing in this subsection shall be construed to limit the number of private sector financial services firms with approved plans from participating in the marketplace.

(9) Approved plans must meet federal law or regulation for internal revenue service approved retirement plans.

(10) The approved plans must include the option for enrollees to roll pretax contributions into a different individual retirement account or another eligible retirement plan after ceasing participation in a plan approved by the Washington small business retirement marketplace.

(11) Financial services firms selected by the department to offer approved plans on the marketplace may not charge the participating employer an administrative fee and may not charge enrollees more than one hundred basis points in total annual fees and must provide information about their product's historical investment performance. Financial services firms may charge enrollees a de minimis fee for new and/or low balance accounts in amounts negotiated and agreed upon by the department and financial services firms. The director shall limit plans to those with total fees the director considers reasonable based on all the facts and circumstances.

(12) Participation in the Washington small business retirement marketplace is voluntary for both eligible employers and qualified employees.

(13) Enrollment in any approved plan offered in the marketplace is not an entitlement.

PART III

WASHINGTON SAVES – ADMINISTRATIVE ACCOUNT – RETAIN OWN INTEREST

Sec. 16. RCW 43.79A.040 and 2023 c 389 s 8, 2023 c 387 s 2, 2023 c 380 s 6, 2023 c 213 s 9, 2023 c 170 s 19, and 2023 c 12 s 2 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

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

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a

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better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment program account, the Billy Frank Jr. national statuary hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the pollution liability insurance program trust account, the produce railcar pool account, the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, the Washington saves administrative treasury trust account, and the library operations account.

(c) The following accounts and funds must receive 80 percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advance right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service

assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

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

Sec. 17. RCW 43.79A.040 and 2023 c 389 s 8, 2023 c 387 s 2, 2023 c 380 s 6, 2023 c 213 s 9, and 2023 c 12 s 2 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

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

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Gina Grant Bull memorial legislative page scholarship account, the Rosa Franklin legislative internship program scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the Washington achieving a better life experience program account, the Washington career and college pathways innovation challenge program account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the behavioral health loan repayment program account, the Billy Frank Jr. national statuary hall collection fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county 911 excise tax account, the county road administration board emergency loan account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the energy facility site evaluation council account, the fair fund, the family and medical leave insurance account, the fish and wildlife federal lands revolving account, the natural resources federal lands revolving account, the food animal veterinarian conditional scholarship account, the forest health revolving account, the fruit and vegetable inspection account, the educator conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington

global health technologies and product development account, the grain inspection revolving fund, the Washington history day account, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the low-income home rehabilitation account, the medication for people living with HIV rebate revenue account, the homeowner recovery account, the multiagency permitting team account, the northeast Washington wolf-livestock management account, the produce railcar pool account, the public use general aviation airport loan revolving account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state library-archives building account, the reduced cigarette ignition propensity account, the center for deaf and hard of hearing youth account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, the school employees' benefits board insurance reserve fund, the public employees' and retirees' insurance account, the school employees' insurance account, the long-term services and supports trust account, the radiation perpetual maintenance fund, the Indian health improvement reinvestment account, the department of licensing tuition recovery trust fund, the student achievement council tuition recovery trust fund, the tuition recovery trust fund, the industrial insurance premium refund account, the mobile home park relocation fund, the natural resources deposit fund, the Washington state health insurance pool account, the federal forest revolving account, the Washington saves administrative treasury trust account, and the library operations account.

(c) The following accounts and funds must receive 80 percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advance right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

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

PART IV MISCELLANEOUS

NEW SECTION. **Sec. 18.** Section 16 of this act expires July 1, 2030.

NEW SECTION. **Sec. 19.** (1) Section 16 of this act takes effect July 1, 2024.

(2) Section 17 of this act takes effect July 1, 2030.

NEW SECTION. **Sec. 20.** Sections 1 through 12 of this act constitute a new chapter in Title 19 RCW.

NEW SECTION. **Sec. 21.** If any part of this act is found to

be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state or the eligibility of employers in this state for federal unemployment tax credits, the conflicting part of this act is inoperative solely to the extent of the conflict, and the finding or determination does not affect the operation of the remainder of this act. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state or the granting of federal unemployment tax credits to employers in this state."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Mullet moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6069.

Senators Mullet and Wilson, L. spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Mullet that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6069.

The motion by Senator Mullet carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 6069 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6069, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6069, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 35; Nays, 12; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Braun, Cleveland, Conway, Dhingra, Frame, Gildon, Hansen, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wagoner, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Dozier, Fortunato, Hasegawa, Hawkins, MacEwen, McCune, Padden, Schoesler, Torres, Warnick and Wilson, L.

Excused: Senators Kauffman and Short

ENGROSSED SUBSTITUTE SENATE BILL NO. 6069, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Billig: "Thank you Mr. President. Rising for what will probably be my last time on this Senate floor. And I am going to miss place. I am going to miss the institution of the Senate, the people, the work, I'm going to miss this incredible building.

This is a pretty amazing place to come to work every day. The physical place and the place because all of the people here. There is actually a connection between this beautiful building and the work that we do. The people who built this building, our predecessors, made it so grand on purpose. The marble and the wood. The high ceilings to remind of the significance of the

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work that we do and the impact, the significant impact that it has on the people we represent. So, I will miss this place, but I also know it is time to hang up my, as we would say in my other job, hang up my spikes, so I'll hang up book of Reed's Rules, or my microphone, or my suit, I', going to hang up my suit Mr. President. That's what I am going to hang up.

But I know that an important part of leadership is knowing when it is time to step aside and make room for others to lead. And that time is now.

As I depart, Mr. President, I am most of all filled with a deep sense of gratitude. Gratitude to my family who have supported and inspired me. It is almost automatic to thank your family in these kinds of speeches and it shouldn't be. The reason everybody does it is because we all know we can't be here without the support and sacrifice of our family. I'm deeply grateful to them.

I have gratitude to the super smart and dedicated staff, or as Senator Wilson said yesterday, the wicked smart staff, which is very accurate. The caucus staff, the nonpartisan committee staff, the rostrum staff, our legislative assistants and session aides and interns. And I've had some great ones including the team with me this year.

I have so much gratitude, Mr. President, for my colleagues and for you. It's a unique collection of characters for sure. But everyone trying to do the best they can to serve their constituents. Have a special appreciation for the members of the Senate Democratic caucus. Six years ago, they expressed their trust in me to be the caucus leader and majority leader. And I've tried hard every day to earn that trust. And I'm so proud of what we've accomplished together. And as much as I'm proud of what we've accomplished, I'm proud of how we've accomplished it. We're more efficient, more effective, more diverse, more bipartisan, more transparent than any time in recent history.

But that's not to say it's always smooth sailing. I sometimes have this idea in my head that our caucus and the Senate as a whole is like this symphony. Just perfect harmony. And I'm just at the front directing it. The reality is, at least at times, is there we're more like an out of control stage coach, barreling around a corner, and just barely keeping ourselves on the road.

When I reflect back on my 14 years in the legislature and my six years as Leader, one of the times that really stands out to me as my first year as Majority Leader. It was the last day of session and we were stuck. If it was a symphony, it was silent. If we were a stagecoach, we had gone over the cliff. The governor's staff had already drafted the special session proclamation because we were headed to special session. Secretary Banister is nodding in her head. And it was about 8:30 and were just dead stuck and a bunch of us are sitting in the caucus room. It wasn't a caucus meeting. It wasn't a leadership meeting. We were not we had nothing to do because we were just stuck. And we started talking. And these super smart, capable senators, we all came up with a plan. And we sent out these emissaries throughout the Capitol to do the work of the Legislature. And by 10:30, P.M., now, as you know, Mr. President, there's a midnight deadline so 10:30 is a little on the late side. But by 10:30, we had freed the log jam with compromises and elbow grease and ingenuity the budgets and about a dozen other bills started to flow and we finished just seconds before midnight. So, I certainly appreciated my hardworking caucus colleagues that night as I do every day.

I also greatly appreciate my colleagues across the aisle. We don't always agree but I think people would be very surprised, people outside this place, with how often we do agree. And even when we don't agree we almost always find a way to do it respectfully. And even sometimes with a bit of humor. I remember a few years ago when we were in the minority. Now, Mr. President, this may surprise you, but I occasionally had a

point of order called on me. So, this one bill I was speaking on, and I strayed a little too close to the line and Senator Padden jumped up and called a point of order. And Senator Roach, who was the President of Pro Tem presiding that day, just my luck, and she ruled for that point in favor of Senator Padden. And then she fined me one pound of Sees marzipan candy, which I delivered the next day, and we all had a nice laugh. So even when we disagree, we can find a way to smile. But the fact is that Senator Padden and I have worked together many more times when we've worked against each other on behalf of Spokane and that could be said for just about everyone on the other side of the aisle. I appreciate their collaboration.

Lastly, but very importantly, I have gratitude to the people of Spokane for sending me here for 14 years to represent them. What an honor to represent my community. And I thank my constituents not just for their support but also for their inspiration. So many bills that I prime sponsored were brought to me by constituents. My first big bill, my first year was brought to me by constituents advocates for protecting the Spokane River. And I had no idea that it would be one of the biggest bills that I would pass in my time here. It removed phosphorus from law and fertilizer to prevent toxic algae blooms and waterways across the state, including the Spokane River.

And then my last bill this year about hate crimes brought to me by members of the Spokane community after acts of hate in Spokane. As you know, Mr. President, it's always all about Spokane. I think back, especially the last few days, been thinking back a lot to my first days here, my first year. When I came from my first day, I actually got here a day early and I did the public tour. And the tour guide was great. She was surprised that I was getting sworn in the next day and on the public tour, but it was a great tour. Everybody should do that tour. And I reflect back on how excited and energized I was that day. And I feel just as excited and energized to be here now as I was that day, and that is just how I want to leave this place. So, I am going to miss all of you, I'll miss you Mr. President, and everybody here.

I'm going to miss this place, but I know I'm leaving it in good hands. Thank you, Mr. President."

The Senate rose in applause to congratulate and thank Senator Billig.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the family of Senator Billig who were present in the wings.

MOTION

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator MacEwen moved that Kristopher K. Peters, Senate Gubernatorial Appointment No. 9358, be confirmed as a member of The Evergreen State College Board of Trustees.

Senator MacEwen spoke in favor of the motion.

APPOINTMENT OF KRISTOPHER K. PETERS

The President declared the question before the Senate to be the confirmation of Kristopher K. Peters, Senate Gubernatorial

Appointment No. 9358, as a member of The Evergreen State College Board of Trustees.

The Secretary called the roll on the confirmation of Kristopher K. Peters, Senate Gubernatorial Appointment No. 9358, as a member of The Evergreen State College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

Kristopher K. Peters, Senate Gubernatorial Appointment No. 9358, having received the constitutional majority was declared confirmed as a member of The Evergreen State College Board of Trustees.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Shewmake moved that Teresa N. Taylor, Senate Gubernatorial Appointment No. 9415, be confirmed as a member of the Whatcom Community College Board of Trustees.

Senator Shewmake spoke in favor of the motion.

APPOINTMENT OF TERESA N. TAYLOR

The President declared the question before the Senate to be the confirmation of Teresa N. Taylor, Senate Gubernatorial Appointment No. 9415, as a member of the Whatcom Community College Board of Trustees.

The Secretary called the roll on the confirmation of Teresa N. Taylor, Senate Gubernatorial Appointment No. 9415, as a member of the Whatcom Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

Teresa N. Taylor, Senate Gubernatorial Appointment No. 9415, having received the constitutional majority was declared confirmed as a member of the Whatcom Community College Board of Trustees.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nguyen moved that Kate Dean, Senate Gubernatorial

Appointment No. 9194, be confirmed as a member of the Puget Sound Partnership Leadership Council.

Senator Nguyen spoke in favor of the motion.

APPOINTMENT OF KATE DEAN

The President declared the question before the Senate to be the confirmation of Kate Dean, Senate Gubernatorial Appointment No. 9194, as a member of the Puget Sound Partnership Leadership Council.

The Secretary called the roll on the confirmation of Kate Dean, Senate Gubernatorial Appointment No. 9194, as a member of the Puget Sound Partnership Leadership Council and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

Kate Dean, Senate Gubernatorial Appointment No. 9194, having received the constitutional majority was declared confirmed as a member of the Puget Sound Partnership Leadership Council.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nguyen moved that Victoria C. Christiansen, Senate Gubernatorial Appointment No. 9243, be confirmed as a member of the Puget Sound Partnership Leadership Council.

Senator Nguyen spoke in favor of the motion.

APPOINTMENT OF VICTORIA C. CHRISTIANSEN

The President declared the question before the Senate to be the confirmation of Victoria C. Christiansen, Senate Gubernatorial Appointment No. 9243, as a member of the Puget Sound Partnership Leadership Council.

The Secretary called the roll on the confirmation of Victoria C. Christiansen, Senate Gubernatorial Appointment No. 9243, as a member of the Puget Sound Partnership Leadership Council and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

Victoria C. Christiansen, Senate Gubernatorial Appointment No. 9243, having received the constitutional majority was declared confirmed as a member of the Puget Sound Partnership

SIXTIETH DAY, MARCH 7, 2024
 Leadership Council.

2024 REGULAR SESSION

THIRD READING
 CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nguyen moved that Dennis J. McLerran, Senate Gubernatorial Appointment No. 9305, be confirmed as a member of the Puget Sound Partnership Leadership Council.

Senator Nguyen spoke in favor of the motion.

APPOINTMENT OF DENNIS J. MCLERRAN

The President declared the question before the Senate to be the confirmation of Dennis J. McLerran, Senate Gubernatorial Appointment No. 9305, as a member of the Puget Sound Partnership Leadership Council.

The Secretary called the roll on the confirmation of Dennis J. McLerran, Senate Gubernatorial Appointment No. 9305, as a member of the Puget Sound Partnership Leadership Council and the appointment was confirmed by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator MacEwen

Excused: Senators Kauffman and Short

Dennis J. McLerran, Senate Gubernatorial Appointment No. 9305, having received the constitutional majority was declared confirmed as a member of the Puget Sound Partnership Leadership Council.

THIRD READING
 CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nguyen moved that David Herrera, Senate Gubernatorial Appointment No. 9387, be confirmed as a member of the Puget Sound Partnership Leadership Council.

Senator Nguyen spoke in favor of the motion.

APPOINTMENT OF DAVID HERRERA

The President declared the question before the Senate to be the confirmation of David Herrera, Senate Gubernatorial Appointment No. 9387, as a member of the Puget Sound Partnership Leadership Council.

The Secretary called the roll on the confirmation of David Herrera, Senate Gubernatorial Appointment No. 9387, as a member of the Puget Sound Partnership Leadership Council and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen,

Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

David Herrera, Senate Gubernatorial Appointment No. 9387, having received the constitutional majority was declared confirmed as a member of the Puget Sound Partnership Leadership Council.

PERSONAL PRIVILEGE

Senator Braun: "Thank you Mr. President.

As we've discussed, I do a study, a lot of study in the red book and I have been studying the point of personal privileges a lot lately. And I realized that I have something I'd like to share that I think does affect me personally in a unique and particular way, as they say. I have five friends that will be leaving us after this session. I know you're sensitive about how we use points of personal privilege, but I think it's appropriate that we take at least a few moments to recognize their unique and important contributions in this chamber. And I'd just like to do that.

I'll start with Senator Sam Hunt over here. You know, it's hard to imagine how a Republican Husky and a Democrat Cougar could find ways to work together. And in fairness, our philosophical outlooks don't overlap all that much. But we have. And all I'd like to say about Senator Hunt is that whether we're working together or whether we're in disagreement on a particular issue, he approaches it in a, in a upbeat, cheerful, positive manner. He's going to tell you no, he almost always does it with a smile on his face. And I deeply appreciate that, because it's that kind of approach to work here, particularly when we don't see eye-to-eye, that makes this place work so effectively.

Our leader, Senator Andy Billig, you know, I remember some of those points of order back in the days when we were in the majority and the Democrats are in the minority. And Andy was the Deputy Leader for much of that. And part of his job was to press home places that, you know, needed to be pressed home from his perspective. And I appreciate that. And he did it well. In the last four years, I've had the good fortune to serve alongside him as the Republican leader. And I believe we've forged a very strong working relationship, a relationship based on candor, based on fairness, based on transparency that's been good. I know from my perspective it's been good for the institution. I'd like to think it's been good for everyone's perspective; it's been good for the institution. You know, Andy has been as strong, even when we disagree, he's been a strong defender of vigorous, vigorous debate. And he's jumps right in there, even when he's wrong. He will defend his position, with skill and with good humor. And again, I think that's one of the things that make this institution so very special, And I want to thank him for that.

Senator Karen Keiser. I've had the, mostly pleasure, of serving on the Commerce and Labor, and now for the last seven years, the Labor and Commerce Committee with Karen. And while we sometimes vigorously disagree on some issues, I am always amazed at the number of things we do agree on. There's a lot of good government stuff that we are lined up on. And she is 100% a pro at this. I don't think there's anybody on the floor here that is better at just, if we disagree today and we got something to work on tomorrow, we're going to work on it and we're going to get it right. And I've had a couple things I'd share. We worked together, worked together on the Ruckelshaus Committee working for the help of our development disabled citizens for a couple years. And those were long years. Those meetings were like, went for six

days at a time, it seemed like. They were long, long meetings. But it brought a group in our state that were very divided on many issues, brought them together. And I won't say we solved all the problems there. But we got on a path that I think ultimately will lead to better services for these citizens in the future. And Karen had a heck of a lot to do with that. And last fall, I had a unique opportunity. We were invited to sit down together with KUOW and do what they call a *StoryCorps*, where they ask folks from different political positions to sit together and go through a series of questions that I don't know what it took an hour or two. And we talked about things from how we arrived. I didn't know until that day. We both arrived here, different paths but from the Midwest. And learn more about each other and share, try to find common ground. And that was a really meaningful and good experience for me. And I am very proud that we did that together. I, like I said, there are a few people here that are more efficient, more effective in just going out there and solving problems in our state than Senator Keiser.

Mark Mullet over there in the corner. We came to the Senate together. Same year, actually technically I think that Senator Billig came the same year, but he had been in the House, so we don't count that. We came elected in 2012 and showed up here in 2013. And just as things were, we happened, they probably just happened to be in the majority. And we worked on a lot of things. We worked hard on, you know, Senator Mullet applied his financial background to looking at the GET Program and led the effort really to move towards the Dream Ahead Program. I think he has served the parents and students in our state enormously well. I remember when we were in the majority, I worked a lot with the late Senator Andy Hill. And our goal was always could we get Mark Mullet to vote for the budget. That was one of our measures of success. And unfortunately, he took a very principled position on the Public Works Trust account. So, we'd get him almost there, but we would misuse, and frankly, I think that was true from both sides of the aisle during the Great Recession, somehow misuse that Public Works Trust account, and we'd lose his vote. Every time. But I'll tell you, Mr. President, he stuck to his guns. And as a result, today, and he didn't talk much about this during, yesterday during his capital budget speech, but that fund is in much better shape. It's being used as it should be. And that a lot of that credit goes to him and others who insisted that we use it right and we help our local communities. Mark is unfailingly kind, doesn't matter what your political position is. He's honest. He carries deeply about policy. And I was thinking about it yesterday when he was speaking, you know those 15-minute blocks, all the different topics we all get to hear from. And few people, I don't think anybody in the legislature has had more impact on a broader set of topics before us than Mark Mullet. The breadth of the topics he works on is truly impressive, and I think we should recognize that.

All right. Senator Linda Wilson. This is a tough loss for me, and I think for our caucus. Linda has been there at every point when we needed someone to do a hard job. She has been there. She's smart. She's hard working. She's clear-eyed. She's not afraid to tell you when she thinks you're wrong. It doesn't matter who you are. You know, Linda will sometimes in a self-deprecating way say that she didn't go to college, and that's true for several folks on the floor. But I will tell you, three of the most talented, gifted, efficient, effective people I know in my life didn't go to college. Linda's one of them. She's really good and she shows us that it's not about any stamp you may have. It's about what you bring every day to your job, whatever job it is, certainly in this job. Do you show up? Do you listen? Do you understand? Do you work hard enough to get to a solution that everybody can accept and can be executed? Linda does that. I think in no place do you see it more than the work. As I have greatly admired, I spent a lot

of time working on the budget in the early years. And the work over the last two years, and I give Senator Robinson and Senator Rolfes, a lot of credit for this as well but to find a way to keep both sides in the room right up to the end, even if it isn't a document everybody can support in the end. Keeping everybody involved is a tremendous service to our state. And I want to thank Linda for the work she did to make that happen. She has faced difficult situations, but she always does it with strength and with grace and really sets an example for all of us. So, I speak today just to share my appreciation for all of you. Everything you've done, certainly the time I've been here, I deeply appreciate it. I think our state should be deeply grateful for your sacrifice and your service. I wish each of you the very, very best. Thank you, Mr. President."

REMARKS BY THE PRESIDENT

President Heck: "Senator Braun, you said you were going to speak to five for sure departing colleagues. You did. There's actually a sixth, just wanted to know if that was intentionality on your part?"

Senator Braun: "Well, Mr. President, that wasn't as unique and particular. No, I apologize. That was, and I certainly meant no offense. I didn't speak, there are a number of folks in this body who are running for office and won't, he may be back, but are you right? Senator Van De Wege won't be back either way, will he? Well, I would be happy to speak to him because, and I apologize, but, and I did say five, but I'm going to change that to six if I may, Mr. President.

President Heck: "Proceed."

PERSONAL PRIVILEGE

Senator Braun: "So, Senator Van De Wege came to, you know, came to the Senate about halfway through my time here. And we serve very similar districts in many ways. We are very rural, resource dependent. I think the big difference is, Port Townsend is a lot different than Centralia. And so, we come at it from different perspectives. But, Senator Van De Wege has always been 100% focused on what it works for his district. And he will, when that means he is in the majority position, he will be there, he will be a strong advocate. If that means he has to buck the system, if he has to stand up to his caucus, and we all know that's not an easy thing to do, he will do that. If he thinks that's the right thing to serve his continued constituents in the 24th Legislative District. He has been, and this of course given our similar districts, been a strong, strong advocate for, for the timber industry, for the natural resources we, we are blessed with here in our state. He's been a strong advocate for the fire service, given his professional background. I have a personal appreciation for that. These are folks who serve us well, across our state, and he has been their champion here in, in the Senate for many years. So, I'm not going to say anymore, sorry Kevin. I've already talked more than I intended to do. I wanted to just say a few short words, Mr. President, I figured for sure you would cut me off by now and you didn't. So, I appreciate that very much, and once again, thank each of you for your service to our state. God bless."

PERSONAL PRIVILEGE

Senator Liias: "Thank you, Mr. President, I'm pretty angry, because my best friend in the legislature refuses to make farewell remarks. And so, to punish him and to make sure that the Journal of the Senate of the State of Washington accurately conveys his

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service, I think it's important that we talk about. Senator Van De Wege. And I say my best friend with thoughtfulness, I appreciate so many people here, and I count so many of you as personal friends, but Senator Van De Wege is special. And it's not because we agree, Mr. President. Senator Van De Wege drives me to madness with some of the things he's advocated for, and some of the amendments he's put on my bills, and some of the things he's asked for in the budgets I've worked on. But Senator Van De Wege is one of the kindest and most compassionate people that has ever served in this Legislature. And he is the very embodiment of an unsung hero. Not just because every day he goes to work to keep his fellow citizens safe as a firefighter and paramedic, but because he comes to work every day to make sure that the people whose voices are not heard at this Capitol are heard. And he doesn't do it with his name on it, and he doesn't do it to get popular acclaim. He does it because he knows it's what's important. And I also just want to tell a story that talks about my friend Kevin as a human. When we serve together in the House, I worked a lot on improving the conditions in our public schools with relation to bullying. And I sponsored a number of bills to tackle school bullying in our classrooms, and Senator Van De Wege came up to me one day because his son, unfortunately, had made some remarks to a classmate that were unfair and uncharitable. And Senator Van De Wege wanted to make sure that his son had some accountability for what he did. And so he said, can I ask my son to write you a letter apologizing on behalf of the words that he made? And who's going to say no to a request like that? And to see the thoughtfulness and poise in Jack's letter and to have a chance to write back, it just showed me the quality of humans that Kevin and Jennifer Van De Wege are, and the amazing, upstanding citizens that they've raised for the people of our state. And I am upset that he's leaving, and I'm even more upset that he won't stand up and take credit for all the amazing things he's done. But I'm so grateful and so honored to call him my friend. I know that we will all call him our friends from sine die onwards, and I just wanted to make sure the Senate had an opportunity to express our deep appreciation to our friend, Senator Kevin Van De Wege.

The Senate rose in applause to congratulate and thank Senator Kevin Van De Wege.

President Heck: "Maybe we should test this. Senator Van De Wege, state your point of personal privilege."

Senator Van De Wege: "Thank you, Mr. President. I will keep this very short. Thank you, Marco, for those kind words. Thank you, Mr. President. Thank you all for your time, John, too. Point of personal privilege, Mr. President."

President Heck: "Please Proceed."

PERSONAL PRIVILEGE

Senator Van De Wege: "Thank you all. This has been a wonderful endeavor serving in the legislature. I loved almost every minute of it, and I've always appreciated representing the Olympic Peninsula here in the Legislature. I am most, I love you all, but I'm most grateful to our staff who have always made us look good, and made sure what we're doing here is done in the correct way and for the good of the people. So, thank you, thank you for recognizing me. Thank you, Marco, and thank you, John, and thank you all. Take care."

The Senate rose in applause again to thank Senator Van De

Wege.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wilson, C. moved that Janel McFeat, Senate Appointment No. 9800, be confirmed as Executive Director of the Washington Statewide Reentry Council.

Senator Wilson, C. spoke in favor of the motion.

APPOINTMENT OF JANEL MCFEAT

The President declared the question before the Senate to be the confirmation of Janel McFeat, Senate Appointment No. 9800, as Executive Director of the Washington Statewide Reentry Council.

The Secretary called the roll on the confirmation of Janel McFeat, Senate Appointment No. 9800, as Executive Director of the Washington Statewide Reentry Council and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

Janel McFeat, Senate Appointment No. 9800, having received the constitutional majority was declared confirmed as Executive Director of the Washington Statewide Reentry Council.

MOTION

At 3:25 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease until 3:40 p.m.

The Senate was called to order at 3:40 p.m. by President Heck.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Trudeau moved that Ramona Brandes, Senate Gubernatorial Appointment No. 9450, be confirmed as a member of the Sentencing Guidelines Commission.

Senator Trudeau spoke in favor of the motion.

APPOINTMENT OF RAMONA BRANDES

The President declared the question before the Senate to be the confirmation of Ramona Brandes, Senate Gubernatorial Appointment No. 9450, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Ramona Brandes, Senate Gubernatorial Appointment No. 9450, as a

member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

Ramona Brandes, Senate Gubernatorial Appointment No. 9450, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Shewmake moved that Andrew J. Drennen, Senate Gubernatorial Appointment No. 9448, be confirmed as a member of the Board of Pilotage Commissioners.

Senator Shewmake spoke in favor of the motion.

APPOINTMENT OF ANDREW J. DRENNEN

The President declared the question before the Senate to be the confirmation of Andrew J. Drennen, Senate Gubernatorial Appointment No. 9448, as a member of the Board of Pilotage Commissioners.

The Secretary called the roll on the confirmation of Andrew J. Drennen, Senate Gubernatorial Appointment No. 9448, as a member of the Board of Pilotage Commissioners and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

Andrew J. Drennen, Senate Gubernatorial Appointment No. 9448, having received the constitutional majority was declared confirmed as a member of the Board of Pilotage Commissioners.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wilson, C. moved that Kaziputalimba Joshua, Senate Gubernatorial Appointment No. 9446, be confirmed as a member of the Clemency and Pardons Board.

Senator Wilson, C. spoke in favor of the motion.

APPOINTMENT OF KAZIPUTALIMBA JOSHUA

The President declared the question before the Senate to be the confirmation of Kaziputalimba Joshua, Senate Gubernatorial Appointment No. 9446, as a member of the Clemency and Pardons Board.

The Secretary called the roll on the confirmation of Kaziputalimba Joshua, Senate Gubernatorial Appointment No. 9446, as a member of the Clemency and Pardons Board and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

Kaziputalimba Joshua, Senate Gubernatorial Appointment No. 9446, having received the constitutional majority was declared confirmed as a member of the Clemency and Pardons Board.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Dozier moved that William W. Warren, Senate Gubernatorial Appointment No. 9441, be confirmed as a member of the Walla Walla Community College Board of Trustees.

Senator Dozier spoke in favor of the motion.

APPOINTMENT OF WILLIAM W. WARREN

The President declared the question before the Senate to be the confirmation of William W. Warren, Senate Gubernatorial Appointment No. 9441, as a member of the Walla Walla Community College Board of Trustees.

The Secretary called the roll on the confirmation of William W. Warren, Senate Gubernatorial Appointment No. 9441, as a member of the Walla Walla Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

William W. Warren, Senate Gubernatorial Appointment No. 9441, having received the constitutional majority was declared confirmed as a member of the Walla Walla Community College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

SIXTIETH DAY, MARCH 7, 2024

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Senator Hansen moved that Jeffery S. Vincent, Senate Gubernatorial Appointment No. 9440, be confirmed as a member of the Workforce Education Investment Accountability and Oversight Board.

having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

Senator Hansen spoke in favor of the motion.

MOTION

APPOINTMENT OF JEFFERY S. VINCENT

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

The President declared the question before the Senate to be the confirmation of Jeffery S. Vincent, Senate Gubernatorial Appointment No. 9440, as a member of the Workforce Education Investment Accountability and Oversight Board.

MESSAGES FROM THE HOUSE

March 7, 2024

The Secretary called the roll on the confirmation of Jeffery S. Vincent, Senate Gubernatorial Appointment No. 9440, as a member of the Workforce Education Investment Accountability and Oversight Board and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

MR. PRESIDENT:

The Speaker has signed:

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

- SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5150,
- SENATE BILL NO. 5184,
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5213,
- SUBSTITUTE SENATE BILL NO. 5376,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5424,
- SECOND SUBSTITUTE SENATE BILL NO. 5444,
- ENGROSSED SENATE BILL NO. 5462,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5481,
- SECOND ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5580,
- SUBSTITUTE SENATE BILL NO. 5588,
- ENGROSSED SENATE BILL NO. 5592,
- ENGROSSED SENATE BILL NO. 5632,
- SUBSTITUTE SENATE BILL NO. 5649,
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5670,
- SUBSTITUTE SENATE BILL NO. 5774,
- SECOND SUBSTITUTE SENATE BILL NO. 5780,
- SECOND SUBSTITUTE SENATE BILL NO. 5784,
- SUBSTITUTE SENATE BILL NO. 5785,
- SUBSTITUTE SENATE BILL NO. 5787,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5796,
- SUBSTITUTE SENATE BILL NO. 5798,
- SENATE BILL NO. 5800,
- SUBSTITUTE SENATE BILL NO. 5802,
- SUBSTITUTE SENATE BILL NO. 5804,
- SUBSTITUTE SENATE BILL NO. 5808,
- ENGROSSED SENATE BILL NO. 5824,
- SECOND SUBSTITUTE SENATE BILL NO. 5825,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5828,
- SENATE BILL NO. 5836,
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5838,
- SUBSTITUTE SENATE BILL NO. 5857,
- SENATE BILL NO. 5881,
- SECOND SUBSTITUTE SENATE BILL NO. 5882,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5890,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5891,
- SENATE BILL NO. 5904,
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5908,
- SUBSTITUTE SENATE BILL NO. 5931,
- SUBSTITUTE SENATE BILL NO. 5934,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5949,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5950,
- SENATE BILL NO. 5952,
- SUBSTITUTE SENATE BILL NO. 5953,
- SUBSTITUTE SENATE BILL NO. 5972,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5983,

Excused: Senators Kauffman and Short

Jeffery S. Vincent, Senate Gubernatorial Appointment No. 9440, having received the constitutional majority was declared confirmed as a member of the Workforce Education Investment Accountability and Oversight Board.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Trudeau moved that Brian S. Smith, Senate Gubernatorial Appointment No. 9439, be confirmed as a member of the Sentencing Guidelines Commission.

Senator Trudeau spoke in favor of the motion.

APPOINTMENT OF BRIAN S. SMITH

The President declared the question before the Senate to be the confirmation of Brian S. Smith, Senate Gubernatorial Appointment No. 9439, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Brian S. Smith, Senate Gubernatorial Appointment No. 9439, as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

Brian S. Smith, Senate Gubernatorial Appointment No. 9439,

ENGROSSED SUBSTITUTE SENATE BILL NO. 5985,
 SUBSTITUTE SENATE BILL NO. 5986,
 SECOND SUBSTITUTE SENATE BILL NO. 6006,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6009,
 SUBSTITUTE SENATE BILL NO. 6015,
 SUBSTITUTE SENATE BILL NO. 6025,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6038,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6039,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6040,
 SUBSTITUTE SENATE BILL NO. 6047,
 SUBSTITUTE SENATE BILL NO. 6053,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
 6058,
 SUBSTITUTE SENATE BILL NO. 6059,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
 6068,
 ENGROSSED SENATE BILL NO. 6087,
 SENATE BILL NO. 6094,
 SUBSTITUTE SENATE BILL NO. 6099,
 SUBSTITUTE SENATE BILL NO. 6100,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6105,
 SUBSTITUTE SENATE BILL NO. 6106,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
 6109,
 SUBSTITUTE SENATE BILL NO. 6115,
 ENGROSSED SENATE BILL NO. 6120,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6127,
 SUBSTITUTE SENATE BILL NO. 6146,
 ENGROSSED SENATE BILL NO. 6151,
 SUBSTITUTE SENATE BILL NO. 6157,
 SUBSTITUTE SENATE BILL NO. 6164,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
 6175,
 SUBSTITUTE SENATE BILL NO. 6197,
 SECOND SUBSTITUTE SENATE BILL NO. 6228,
 SENATE BILL NO. 6238,
 ENGROSSED SENATE BILL NO. 6246,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
 6251,
 SUBSTITUTE SENATE BILL NO. 6301,
 SENATE BILL NO. 6308,
 SENATE CONCURRENT RESOLUTION NO. 8414,
 and the same are herewith transmitted.
 MELISSA PALMER, Deputy Chief Clerk

March 7, 2024

MR. PRESIDENT:

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

SUBSTITUTE HOUSE BILL NO. 2357,
 and the same are herewith transmitted.
 MELISSA PALMER, Deputy Chief Clerk

March 7, 2024

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED FOURTH SUBSTITUTE HOUSE BILL NO.
 1239,
 SUBSTITUTE HOUSE BILL NO. 1453,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1493,
 SECOND ENGROSSED HOUSE BILL NO. 1757,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1899,
 SUBSTITUTE HOUSE BILL NO. 2147,
 SUBSTITUTE HOUSE BILL NO. 2357,
 SUBSTITUTE HOUSE BILL NO. 2424,

HOUSE BILL NO. 2454,
 and the same are herewith transmitted.
 MELISSA PALMER, Deputy Chief Clerk

MOTION

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hawkins moved that Tamra L. Jackson, Senate Gubernatorial Appointment No. 9435, be confirmed as a member of the Wenatchee Valley College Board of Trustees.

Senator Hawkins spoke in favor of the motion.

APPOINTMENT OF TAMRA L. JACKSON

The President declared the question before the Senate to be the confirmation of Tamra L. Jackson, Senate Gubernatorial Appointment No. 9435, as a member of the Wenatchee Valley College Board of Trustees.

The Secretary called the roll on the confirmation of Tamra L. Jackson, Senate Gubernatorial Appointment No. 9435, as a member of the Wenatchee Valley College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

Tamra L. Jackson, Senate Gubernatorial Appointment No. 9435, having received the constitutional majority was declared confirmed as a member of the Wenatchee Valley College Board of Trustees.

MOTION

At 4:09 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease until 4:20 p.m.

Senator Warnick announced a meeting of the Republican Caucus.

Senator Billig announced a meeting of the Democratic Caucus.

The Senate was called to order at 4:20 p.m. by President Heck.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nobles moved that Jesus A. Villegas Rivera, Senate Gubernatorial Appointment No. 9334, be confirmed as a member of the Clover Park Technical College Board of Trustees.

Senator Nobles spoke in favor of the motion.

APPOINTMENT OF JESUS A. VILLEGAS RIVERA

The President declared the question before the Senate to be the confirmation of Jesus A. Villegas Rivera, Senate Gubernatorial Appointment No. 9334, as a member of the Clover Park Technical College Board of Trustees.

The Secretary called the roll on the confirmation of Jesus A. Villegas Rivera, Senate Gubernatorial Appointment No. 9334, as a member of the Clover Park Technical College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

Jesus A. Villegas Rivera, Senate Gubernatorial Appointment No. 9334, having received the constitutional majority was declared confirmed as a member of the Clover Park Technical College Board of Trustees.

MOTION

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

MESSAGE FROM THE HOUSE

March 7, 2024

MR. PRESIDENT:

The House receded from its amendment(s) to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194. Under suspension of the rules, the bill was returned to second reading for the purposes of amendment(s). The House adopted the following amendment(s): 6194-S2.E AMH FITZ H3515.1, and passed the bill as amended by the House.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 44.90.020 and 2022 c 283 s 3 are each amended to read as follows:

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

(1) "Collective bargaining" means the performance of the mutual obligations of the employer and the exclusive bargaining representative to meet at reasonable times, except that neither party may be compelled to negotiate during a legislative session or on committee assembly days, to confer and negotiate in good faith, and to execute a written agreement with respect to the subjects of bargaining specified under RCW 44.90.090. The obligation to bargain does not compel either party to agree to a proposal or to make a concession unless otherwise provided in this chapter.

(2) "Commission" means the legislative commission created in section 17 of this act at the public employment relations commission, until the legislative commission expires on December 31, 2027. After December 31, 2027, "commission" means the public employment relations commission created

under RCW 41.58.010(1).

~~((2))~~ (3) "Confidential employee" means an employee designated by the employer: (a) To assist in a confidential capacity, or serve as counsel to, persons who formulate, determine, and effectuate employer policies with regard to labor relations and personnel matters; or (b) who as part of the employee's job duties has authorized access to information that contributes to the development of, or relates to the effectuation or review of, the employer's collective bargaining policies, strategies, or process; or (c) who assists or aids an employee with managerial authority.

(4) "Director" means the director of the office of state legislative labor relations.

~~((3))~~ (5)(a) "Employee" means:

(i) Any regular partisan employee of the house of representatives or the senate who is covered by this chapter; and

(ii) Any regular employee who is staff of the:

(A) Office of legislative support services;

(B) Legislative service center;

(C) Office of the code reviser who, during any legislative session, does not work full time on drafting and finalizing legislative bills to be included in the Revised Code of Washington; and

(D) House of representatives and senate administrations.

(b) "Employee" also includes temporary staff hired to perform substantially similar work to that performed by employees included under (a) of this subsection.

(c) All other regular employees and temporary employees, including casual employees, interns, and pages, and employees in the office of program research and senate committee services work groups of the house of representatives and the senate are excluded from the definition of "employee" for the purposes of this chapter.

(6) "Employee organization" means any organization, union, or association in which employees participate and that exists for the purpose, in whole or in part, of collective bargaining with employers.

~~((4))~~ (7) "Employee with managerial authority" means any employee designated by the employer who, regardless of job title: (a) Directs the staff who work for a legislative chamber, caucus, agency, or subdivision thereof; (b) has substantial responsibility in personnel administration, or the preparation and administration of the employer's budgets; and (c) exercises authority that is not merely routine or clerical in nature and requires the use of independent judgment.

(8) "Employer" means:

(a) The chief clerk of the house of representatives, or the chief clerk's designee, for employees of the house of representatives;

(b) The secretary of the senate, or the secretary's designee, for employees of the senate; and

(c) The chief clerk of the house of representatives and the secretary of the senate, acting jointly, or their designees, for the regular employees who are staff of the office of legislative support services, the legislative service center, and the office of the code reviser.

(9) "Exclusive bargaining representative" means any employee organization that has been certified under this chapter as the representative of the employees in an appropriate bargaining unit.

~~((5))~~ (10) "Labor dispute" means any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment with respect to the subjects of bargaining provided in this chapter, regardless of whether the disputants stand in the proximate relation of employer and employee.

(11) "Legislative agencies" means the joint legislative audit and review committee, the statute law committee, the legislative ethics board, the legislative evaluation and accountability program committee, the office of the state actuary, the legislative service center, the office of legislative support services, the joint transportation committee, and the redistricting commission.

~~((6))~~ (12) "Office" means the office of state legislative labor relations.

(13) "Supervisor" means an employee designated by the employer to provide supervision to legislative employees as part of the employee's regular and usual job duties. Supervision includes directing employees, approving and denying leave, and participating in decisions to hire, transfer, suspend, lay off, recall, promote, discharge, direct, reward, or discipline employees, or to adjust employee grievances, when the exercise of the authority is not of a merely routine nature but requires the exercise of individual judgment, regardless of whether such duties are the employee's primary duties and regardless of whether the employee spends a preponderance of the employee's time exercising such duties. However, "supervisor" does not include a legislative assistant to a legislator of the senate or house of representatives.

NEW SECTION. Sec. 2. A new section is added to chapter 44.90 RCW to read as follows:

(1) This chapter does not apply to any legislative employee who has managerial authority, is a confidential employee, or who does not meet the definition of employee for the purpose of collective bargaining.

(2) This chapter also does not apply to:

(a) Elected or appointed members of the legislature;

(b) Any person appointed to office under statute, ordinance, or resolution for a specific term of office as a member of a multimember board, commission, or committee;

(c) The deputy secretary of the senate and the deputy chief clerk of the house of representatives;

(d) The senate human resources officer, the human resources director of the house of representatives, and the human resources officers or directors of the legislative support services, legislative service center, and office of the code reviser;

(e) The senate director of accounting and the director of accounting for the house of representatives, and the directors of accounting for the legislative support services, legislative service center, and office of the code reviser;

(f) Caucus chiefs of staff and caucus deputy chiefs of staff;

(g) The speaker's attorney, house counsel, and leadership counsel to the minority caucus of the house of representatives;

(h) The counsels for the senate that provide direct legal advice to the administration of the senate; and

(i) Any employee who provides direct administrative support to the office of the secretary of the senate or chief clerk of the house of representatives, or who conducts accounting, payroll, labor management, collective bargaining, or human resources activities.

Sec. 3. RCW 44.90.030 and 2022 c 283 s 2 are each amended to read as follows:

(1) The office of state legislative labor relations is created to assist the house of representatives, the senate, and legislative agencies in implementing and managing the process of collective bargaining for employees of the legislative branch of state government.

(2)(a) Subject to (b) of this subsection, the secretary of the senate and the chief clerk of the house of representatives shall employ a director of the office. The director serves at the pleasure of the secretary of the senate and the chief clerk of the house of representatives, who shall fix the director's salary.

(b) The secretary of the senate and the chief clerk of the house

of representatives shall, before employing a director, consult with legislative employees, the senate facilities and operations committee, the house executive rules committee, and the human resources officers of the house of representatives, the senate, and legislative agencies.

(c) The director serves as the executive and administrative head of the office and may employ additional employees to assist in carrying out the duties of the office. The duties of the office include, but are not limited to, establishing bargaining teams and conducting negotiations on behalf of the employer.

~~((d))~~ The director shall contract with an external consultant for the purposes of gathering input from legislative employees, taking into consideration RCW 42.52.020 and rules of the house of representatives and the senate. The gathering of input must be in the form of, at a minimum, surveys.

(3) The director, in consultation with the secretary of the senate, the chief clerk of the house of representatives, and the administrative heads of legislative agencies shall:

(a) Examine issues related to collective bargaining for employees of the house of representatives, the senate, and legislative agencies; and

(b) After consultation with the external consultant, develop best practices and options for the legislature to consider in implementing and administering collective bargaining for employees of the house of representatives, the senate, and legislative agencies.

(4)(a) By December 1, 2022, the director shall submit a preliminary report to the appropriate committees of the legislature that provides a progress report on the director's considerations.

(b) By October 1, 2023, the director shall submit a final report to the appropriate committees of the legislature. At a minimum, the final report must address considerations on the following issues:

(i) Which employees of the house of representatives, the senate, and legislative agencies for whom collective bargaining may be appropriate;

(ii) Mandatory, permissive, and prohibited subjects of bargaining;

(iii) Who would negotiate on behalf of the house of representatives, the senate, and legislative agencies, and which entity or entities would be considered the employer for purposes of bargaining;

(iv) Definitions for relevant terms;

(v) Common public employee collective bargaining agreement frameworks related to grievance procedures and processes for disciplinary actions;

(vi) Procedures related to the commission certifying exclusive bargaining representatives, determining bargaining units, adjudicating unfair labor practices, determining representation questions, and coalition bargaining;

(vii) The efficiency and feasibility of coalition bargaining;

(viii) Procedures for approving negotiated collective bargaining agreements;

(ix) Procedures for submitting requests for funding to the appropriate legislative committees if appropriations are necessary to implement provisions of the collective bargaining agreements; and

(x) Approaches taken by other state legislatures that have authorized collective bargaining for legislative employees.

(5) The report must include a summary of any statutory changes needed to address the considerations listed in subsection (4) of this section related to the collective bargaining process for legislative employees.)

NEW SECTION. Sec. 4. A new section is added to chapter 44.90 RCW to read as follows:

(1) As provided by this chapter, the commission or the court

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shall determine all questions described by this chapter as under the commission's authority. However, such authority may not result in an order or rule that intrudes upon or interferes with the legislature's core function of efficient and effective law making or the essential operation of the legislature, including that an order or rule may not:

(a) Modify any matter relating to the qualifications and elections of members of the legislature, or the holding of office of members of the legislature;

(b) Modify any matter relating to the legislature or each house thereof choosing its officers, adopting rules for its proceedings, selecting committees necessary for the conduct of business, considering or enacting legislation, or otherwise exercising the legislative power of this state;

(c) Modify any matter relating to legislative calendars, schedules, and deadlines of the legislature; or

(d) Modify laws, rules, policies, or procedures regarding ethics or conflicts of interest.

(2) No member of the legislature may be compelled by subpoena or other means to attend a proceeding related to matters covered by this chapter during a legislative session, committee assembly days, or for 15 days before commencement of each session.

Sec. 5. RCW 44.90.050 and 2022 c 283 s 5 are each amended to read as follows:

(1) Except as may be specifically limited by this chapter, legislative employees shall have the right to self-organization, to form, join, or assist employee organizations, and to bargain collectively through representatives of their own choosing for the purpose of collective bargaining free from interference, restraint, or coercion. Legislative employees shall also have the right to refrain from any or all such activities.

(2) Except as may be specifically limited by this chapter, the commission shall determine all questions pertaining to ascertaining exclusive bargaining representatives for legislative employees and collectively bargaining under this chapter. However, no employee organization shall be recognized or certified as the exclusive bargaining representative of a bargaining unit of employees of the legislative branch unless it receives the votes of a majority of employees in the petitioned for bargaining unit voting in a secret election (~~by mail ballot~~) administered by the commission. The commission's process must allow for an employee, group of employees, employee organizations, employer, or their agents to have the right to petition on any question concerning representation.

(3) ~~((The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as members.))~~
The commission must adopt rules that provide for at least the following:

(a) Secret balloting;

(b) Consulting with employee organizations;

(c) Access to lists of employees, job titles, work locations, and home mailing addresses;

(d) Absentee voting;

(e) Procedures for the greatest possible participation in voting;

(f) Campaigning on the employer's property during working hours; and

(g) Election observers.

(4)(a) If an employee organization has been certified as the exclusive bargaining representative of the employees of multiple bargaining units, the employee organization may act for and

negotiate a master collective bargaining agreement that includes within the coverage of the agreement all covered employees in the bargaining units.

(b) If a master collective bargaining agreement is in effect for the newly certified exclusive bargaining representative, it applies to the bargaining unit for which the new certification has been issued. Nothing in this subsection (4)(b) requires the parties to engage in new negotiations during the term of that agreement.

(5) The certified exclusive bargaining representative is responsible for representing the interests of all the employees in the bargaining unit. This section may not be construed to limit an exclusive bargaining representative's right to exercise its discretion to refuse to process grievances of employees that are unmeritorious.

(6) No question concerning representation may be raised if:

(a) Fewer than 12 months have elapsed since the last certification or election; or

(b) A valid collective bargaining agreement exists covering the unit, except for that period of no more than 120 calendar days nor less than 90 calendar days before the expiration of the contract.

NEW SECTION. Sec. 6. A new section is added to chapter 44.90 RCW to read as follows:

(1) The commission, after hearing upon reasonable notice to all interested parties, shall decide, in each application for certification as an exclusive bargaining representative, the unit appropriate for certification. In determining the new units or modifications of existing units, the commission must consider: The duties, skills, and working conditions of the employees; the history of collective bargaining; the extent of organization among the employees; the desires of the employees; and the avoidance of excessive fragmentation. However, a unit is not appropriate if it includes:

(a) Both supervisors and nonsupervisory employees. A unit that includes only supervisors may be considered appropriate if a majority of the supervisory employees indicates by vote that they desire to be included in such a unit;

(b) Both house of representatives and senate employees;

(c) Both partisan and nonpartisan employees;

(d) Employees of the majority party caucus and the minority party caucus, unless a majority of the employees of each caucus indicate by vote that they desire to be included together in the same unit; or

(e) Employees of the legislative service center, office of legislative support services, and the office of the code reviser, in any combination with each other or in any combination with employees of the house of representatives or employees of the senate.

(2) If a single employee organization is the exclusive bargaining representative for two or more units, upon petition by the employee organization, the units may be consolidated into a single larger unit if the commission considers the larger unit to be appropriate. If consolidation is appropriate, the commission shall certify the employee organization as the exclusive bargaining representative of the new unit.

NEW SECTION. Sec. 7. A new section is added to chapter 44.90 RCW to read as follows:

(1) The parties to a collective bargaining agreement must reduce the agreement to writing and both execute it.

(2) Except as provided in this chapter, a collective bargaining agreement must contain provisions that provide for a grievance procedure of all disputes arising over the interpretation or application of the collective bargaining agreement and that is valid and enforceable under its terms when entered into in accordance with this chapter.

(3) RCW 41.56.037 applies to this chapter.

(4)(a) If a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous collective bargaining agreement between the employer and an employee organization representing the same bargaining units, the effective date of the collective bargaining agreement may be the day after the termination of the previous collective bargaining agreement, and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with that effective date.

(b) If a collective bargaining agreement between an employer and an exclusive bargaining representative is concluded after the termination date of the previous collective bargaining agreement between the employer and the exclusive bargaining representative representing different bargaining units, the effective date of the collective bargaining agreement may be the day after the termination date of whichever previous collective bargaining agreement covering one or more of the units terminated first, and all benefits included in the new collective bargaining agreement, including wage or salary increases, may accrue beginning with that effective date.

(5) The employer and the exclusive bargaining representative of a bargaining unit of legislative employees may not enter into a collective bargaining agreement that requires the employer to deduct, from the salary or wages of an employee, contributions for payments for political action committees sponsored by employee organizations with legislative employees as members.

Sec. 8. RCW 44.90.060 and 2022 c 283 s 6 are each amended to read as follows:

~~((During a legislative session or committee assembly days, nothing))~~ Nothing contained in this chapter permits or grants to any legislative employee the right to strike, participate in a work stoppage, or refuse to perform their official duties.

Sec. 9. RCW 44.90.070 and 2022 c 283 s 7 are each amended to read as follows:

(1) Collective bargaining negotiations under this chapter must commence no later than July 1st of each even-numbered year after a bargaining unit has been certified.

(2) The duration of any collective bargaining agreement shall not exceed one fiscal biennium.

(3)(a) The director must submit ratified collective bargaining agreements, with cost estimates, to the employer by October 1st before the legislative session at which the request for funds is to be considered. The transmission by the legislature to the governor under RCW 43.88.090 must include a request for funds necessary to implement the provisions of all collective bargaining agreements covering legislative employees.

(b) If the legislature or governor fails to provide the funds for a collective bargaining agreement for legislative employees, either party may reopen all or part of the agreement or the exclusive bargaining representative may seek to implement the procedures provided for in section 10 of this act.

(4) Negotiation for economic terms will be by a coalition of all exclusive bargaining representatives. Any such provisions agreed to by the employer and the coalition must be included in all collective bargaining agreements negotiated by the parties. The director and the exclusive bargaining representative or representatives are authorized to enter into supplemental bargaining of bargaining unit specific issues for inclusion in the collective bargaining agreement, subject to the parties' agreement regarding the issues and procedures for supplemental bargaining. This subsection does not prohibit cooperation and coordination of bargaining between two or more exclusive bargaining representatives.

(5) If a significant revenue shortfall occurs resulting in reduced appropriations, as declared by proclamation of the governor or by

resolution of the legislature, both parties must immediately enter into collective bargaining for a mutually agreed upon modification of the agreement.

NEW SECTION. Sec. 10. A new section is added to chapter 44.90 RCW to read as follows:

(1) Should the parties fail to reach agreement in negotiating a collective bargaining agreement, either party may request of the commission the assistance of an impartial third party to mediate the negotiations. If a collective bargaining agreement previously negotiated under this chapter expires while negotiations are underway, the terms and conditions specified in the collective bargaining agreement remain in effect for a period not to exceed one year from the expiration date stated in the agreement. Thereafter, the employer may unilaterally implement according to law.

(2) Nothing in this section may be construed to prohibit an employer and an exclusive bargaining representative from agreeing to substitute, at their own expense, their own procedure for resolving impasses in collective bargaining for that provided in this section or from agreeing to utilize for the purposes of this section any other governmental or other agency or person in lieu of the commission.

(3) The commission shall bear costs for mediator services.

Sec. 11. RCW 44.90.080 and 2022 c 283 s 8 are each amended to read as follows:

(1) It is an unfair labor practice for an employer in the legislative branch of state government:

(a) To interfere with, restrain, or coerce employees in the exercise of the rights guaranteed by this chapter;

(b) To dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it: PROVIDED, That subject to rules adopted by the commission, an employer shall not be prohibited from permitting employees to confer with it or its representatives or agents during working hours without loss of time or pay;

(c) To encourage or discourage membership in any employee organization by discrimination in regard to hire, tenure of employment, or any term or condition of employment;

(d) To discharge or discriminate otherwise against an employee because that employee has filed charges or given testimony under this chapter;

(e) To refuse to bargain collectively with the exclusive bargaining representatives of its employees.

(2) Notwithstanding any other law, the expression of any views, arguments, or opinions, or the dissemination thereof in any form, by a member of the legislature related to this chapter or matters within the scope of representation, shall not constitute, or be evidence of, an unfair labor practice unless the employer has authorized the member to express that view, argument, or opinion on behalf of the employer or as an employer.

(3) It is an unfair labor practice for an employee organization:

(a) To restrain or coerce an employee in the exercise of the rights guaranteed by this chapter: PROVIDED, That this subsection shall not impair the right of an employee organization to prescribe its own rules with respect to the acquisition or retention of membership in the employee organization or to an employer in the selection of its representatives for the purpose of bargaining or the adjustment of grievances;

(b) To cause or attempt to cause an employer to discriminate against an employee in violation of subsection (1)(c) of this section;

(c) To discriminate against an employee because that employee has filed charges or given testimony under this chapter;

(d) To refuse to bargain collectively with an employer.

~~((3))~~ (4) The expressing of any views, arguments, or opinion, or the dissemination thereof to the public, whether in written,

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printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under this chapter, if such expression contains no threat of reprisal or force or promise of benefit.

NEW SECTION. Sec. 12. A new section is added to chapter 44.90 RCW to read as follows:

(1) The commission is empowered and directed to prevent any unfair labor practice and to issue appropriate remedial orders. However, a complaint may not be processed for any unfair labor practice occurring more than six months before the filing of the complaint with the commission or in Thurston county superior court. This power may not be affected or impaired by any means of adjustment, mediation, or conciliation in labor disputes that have been or may hereafter be established by law.

(2) Except as may be specifically limited by this chapter, if the commission or court determines that any person has engaged in or is engaging in an unfair labor practice, the commission or court shall issue and cause to be served upon the person an order requiring the person to cease and desist from such unfair labor practice, and to take such affirmative action as will effectuate the purposes and policy of this chapter, such as the payment of damages.

(3) The commission may petition the Thurston county superior court for the enforcement of its order and for appropriate temporary relief.

Sec. 13. RCW 44.90.090 and 2022 c 283 s 9 are each amended to read as follows:

(1) Except as otherwise provided in this chapter, the matters subject to bargaining include wages, hours, terms and conditions of employment, and the negotiation of any question arising under a collective bargaining agreement.

(2) The employer shall not bargain over rights of management which, in addition to all powers, duties, and rights established by constitutional provision or statute, shall include, but not be limited to, the following:

(a) Any item listed in section 4(1) of this act;

(b) The functions and programs of the employer, the use of technology, and the structure of the organization, including the size and composition of standing committees;

~~((b))~~ (c) The employer's budget and the size of the employer's workforce, including determining the financial basis for layoffs;

~~((c))~~ (d) The right to direct and supervise employees;

~~((d))~~ (e) The hours of work during legislative session ~~(and the cutoff calendar for a legislative session)~~ and committee assembly days, and the hours of work during the 60 calendar days before the first day of legislative session and during the 20 calendar days after the last day of legislative session. This subsection (2)(e) does not prohibit bargaining over hours of work during any other period and bargaining over compensation for hours of work in excess of a 40-hour workweek, except that bargaining over hours of work during periods not otherwise prohibited and compensation for hours worked in excess of a 40-hour workweek may only occur for agreements that take effect after July 1, 2027; ~~(and~~

~~((e))~~ (f) The cutoff calendar for a legislative session;

(g) The employer's authority to: (i) Lay off employees when there has been a change to the number of members in, or the makeup of, a caucus due to an election or appointment that necessitates a change in the number of staff; (ii) lay off an employee following an election, appointment, or resignation of a legislator; and (iii) terminate an employee for engaging in partisan activities that are incompatible with the employee's job duties or position;

(h) Health care benefits and other employee insurance benefits. The amount paid by a legislative employee for health care

premiums must be the same as that paid by a represented state employee covered by RCW 41.80.020(3);

(i) The right to take whatever actions are deemed necessary to carry out the mission of the legislature and its agencies during emergencies; and

(j) Retirement plans and retirement benefits.

~~((2))~~ (3) Except for an applicable code of conduct policy adopted by a chamber of the legislature or a legislative agency, if a conflict exists between policies adopted by the legislature relating to wages, hours, and terms and conditions of employment and a provision of a collective bargaining agreement negotiated under this chapter, the collective bargaining agreement shall prevail. A provision of a collective bargaining agreement that conflicts with a statute or an applicable term of a code of conduct policy adopted by a chamber of the legislature or a legislative agency is invalid and unenforceable.

NEW SECTION. Sec. 14. A new section is added to chapter 44.90 RCW to read as follows:

(1) Upon authorization of an employee within the bargaining unit and after the certification or recognition of the bargaining unit's exclusive bargaining representative, the employer must deduct from the payments to the employee the monthly amount of dues as certified by the secretary of the exclusive bargaining representative and must transmit the same to the treasurer of the exclusive bargaining representative.

(2)(a) An employee's written, electronic, or recorded voice authorization to have the employer deduct membership dues from the employee's salary must be made by the employee to the exclusive bargaining representative. If the employer receives a request for authorization of deductions, the employer must, as soon as practicable, forward the request to the exclusive bargaining representative.

(b) Upon receiving notice of the employee's authorization, the employer must deduct from the employee's salary membership dues and remit the amounts to the exclusive bargaining representative.

(c) The employee's authorization remains in effect until expressly revoked by the employee in accordance with the terms and conditions of the authorization.

(d) An employee's request to revoke authorization for payroll deductions must be in writing and submitted by the employee to the exclusive bargaining representative in accordance with the terms and conditions of the authorization.

(e) After the employer receives confirmation from the exclusive bargaining representative that the employee has revoked authorization for deductions, the employer must end the deduction no later than the second payroll after receipt of the confirmation.

(f) The employer must rely on information provided by the exclusive bargaining representative regarding the authorization and revocation of deductions.

NEW SECTION. Sec. 15. A new section is added to chapter 44.90 RCW to read as follows:

(1) The parties to a collective bargaining agreement negotiated under this chapter agree to final and binding arbitration under grievance procedures allowed by section 7 of this act, the parties may agree on one or more permanent umpires to serve as arbitrator, or may agree on any impartial person to serve as arbitrator, or may agree to select arbitrators from any source available to them, including federal and private agencies, in addition to the staff and list of arbitrators maintained by the commission. If the parties cannot agree to the selection of an arbitrator, the commission must supply a list of names in accordance with the procedures established by the commission.

(2) The authority of an arbitrator shall be subject to the limits

and restrictions specified under section 4 of this act.

(3) Except as limited by this chapter, an arbitrator may require any person to attend as a witness and to bring with them any book, record, document, or other evidence. The fees for such attendance must be paid by the party requesting issuance of the subpoena and must be the same as the fees of witnesses in the superior court. Arbitrators may administer oaths. Subpoenas must issue and be signed by the arbitrator and must be served in the same manner as subpoenas to testify before a court of record in this state. If any person so summoned to testify refuses or neglects to obey such subpoena, upon petition authorized by the arbitrator, the superior court may compel the attendance of the person before the arbitrator or punish the person for contempt in the same manner provided for the attendance of witnesses or the punishment of them in the courts of this state.

(4) Except as limited by this chapter, the arbitrator shall appoint a time and place for the hearing and notify the parties thereof, and may adjourn the hearing from time to time as may be necessary, and, on application of either party and for good cause, may postpone the hearing to a time not extending beyond the date fixed by the collective bargaining agreement for making the award. The arbitration award must be in writing and signed by the arbitrator. The arbitrator must, promptly upon its rendition, serve a true copy of the award on each of the parties or their attorneys of record.

(5) If a party to a collective bargaining agreement negotiated under this chapter that includes final and binding arbitration refuses to submit a grievance for arbitration, the other party to the collective bargaining agreement may invoke the jurisdiction of the superior court of Thurston county and the court shall have jurisdiction to issue an order compelling arbitration. Disputes concerning compliance with grievance procedures shall be reserved for determination by the arbitrator. Arbitration shall be ordered if the grievance states a claim that on its face is covered by the collective bargaining agreement. Doubts as to the coverage of the arbitration clause shall be resolved in favor of arbitration.

(6) If a party to a collective bargaining agreement negotiated under this chapter that includes final and binding arbitration refuses to comply with the award of an arbitrator determining a grievance arising under the collective bargaining agreement, the other party to the collective bargaining agreement may invoke the jurisdiction of the superior court of Thurston county and the court shall have jurisdiction to issue an order enforcing the arbitration award.

Sec. 16. RCW 41.58.010 and 2012 c 117 s 89 are each amended to read as follows:

(1) There is hereby created the public employment relations commission (hereafter called the "commission") to administer the provisions of this chapter. ~~((The))~~ Notwithstanding section 17 of this act, the commission shall consist of three members who shall be citizens appointed by the governor by and with the advice and consent of the senate. One of the original members shall be appointed for a term of three years, one for a term of four years, and one for a term of five years. Their successors shall be appointed for terms of five years each, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he or she succeeds. Commission members shall be eligible for reappointment. The governor shall designate one member to serve as chair of the commission. Any member of the commission may be removed by the governor, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause. Commission members shall not be eligible for state retirement under chapter 41.40 RCW by virtue of their service on the commission.

(2) In making citizen member appointments initially, and subsequently thereafter, the governor shall be cognizant of the desirability of appointing persons knowledgeable in the area of

labor relations in the state.

(3) A vacancy in the commission shall not impair the right of the remaining members to exercise all of the powers of the commission, and two members of the commission shall, at all times, constitute a quorum of the commission.

(4) The commission shall at the close of each fiscal year make a report in writing to the legislature and to the governor stating the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in the employ or under the supervision of the commission, and an account of all moneys it has disbursed.

NEW SECTION. **Sec. 17.** A new section is added to chapter 41.58 RCW to read as follows:

(1)(a) There is established a legislative commission (hereafter called "the legislative commission") exclusively for the purpose of certification of bargaining representatives, adjusting and settling complaints, grievances, and disputes arising out of employer-employee relations, and otherwise carrying out the duties required of the commission under chapter 44.90 RCW.

(b) The legislative commission shall consist of three members who shall be appointed as follows:

(i) One member shall be appointed by the speaker of the house of representatives;

(ii) One member shall be appointed by the president of the senate;

(iii) By mutual consent, the two appointed members shall appoint the third member who shall be the chair of the legislative commission.

(c) All appointments must be made by September 30, 2024. The members of the legislative commission, and any person appointed to fill a vacancy, are appointed for the entire term until the legislative commission expires under subsection (9) of this section.

(d) Until all the members of the legislative commission are appointed, the duties required of the legislative commission under chapter 44.90 RCW shall be carried out by the commission created under RCW 41.58.010(1).

(2) The commission may delegate to the executive director authority with respect to, but not limited to, representation proceedings, unfair labor practice proceedings, mediation, and, if applicable, arbitration of disputes concerning the interpretation or application of a collective bargaining agreement. Such delegation shall not eliminate a party's right of appeal to the legislative commission.

(3) Unless specifically provided, the legislative commission shall not be considered part of the commission created under RCW 41.58.010(1). The powers and duties granted in this chapter to the commission created under RCW 41.58.010(1) do not apply to the legislative commission, unless specifically provided.

(4) A member of the legislative commission may be removed by the speaker of the house of representatives and the president of the senate acting jointly, upon notice and hearing, for neglect of duty or malfeasance in office, but for no other cause.

(5) In making their appointments, the speaker of the house of representatives and the president of the senate shall be cognizant of the desirability of appointing a person who is knowledgeable in the area of labor relations and of the legislature.

(6) Members of the legislative commission are not eligible for state retirement under chapter 41.40 RCW by virtue of the member's service as a commissioner.

(7) The compensation and travel reimbursement provision under RCW 41.58.015(1) shall apply to members of the legislative commission.

(8) The legislative commission shall at the close of each fiscal year make a report in writing to the legislature stating the cases it has heard and decisions it has rendered.

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(9)(a) The legislative commission expires December 31, 2027.

(b) After December 31, 2027, the duties required of the legislative commission under chapter 44.90 RCW shall be carried out by the commission created under RCW 41.58.010(1).

Sec. 18. RCW 41.58.015 and 1984 c 287 s 71 are each amended to read as follows:

(1) Each member of the commission shall be compensated in accordance with RCW 43.03.250. Members of the commission shall also be reimbursed for travel expenses incurred in the discharge of their official duties on the same basis as is provided in RCW 43.03.050 and 43.03.060.

(2) The commission shall appoint an executive director whose annual salary shall be determined under the provisions of RCW 43.03.028. The executive director shall perform such duties and have such powers as the commission shall prescribe in order to implement and enforce the provisions of this chapter. In addition to the performance of administrative duties, the commission may delegate to the executive director authority with respect to, but not limited to, representation proceedings, unfair labor practice proceedings, mediation of labor disputes, arbitration of disputes concerning the interpretation or application of a collective bargaining agreement, and, in certain cases, fact-finding or arbitration of disputes concerning the terms of a collective bargaining agreement. Such delegation shall not eliminate a party's right of appeal to the commission. The executive director, with such assistance as may be provided by the attorney general and such additional legal assistance consistent with chapter 43.10 RCW, shall have authority on behalf of the commission, when necessary to carry out or enforce any action or decision of the commission, to petition any court of competent jurisdiction for an order requiring compliance with the action or decision.

(3)(a) The commission shall employ such employees as it may from time to time find necessary for the proper performance of its duties, consistent with the provisions of this chapter.

(b) The employees of the commission shall also provide staff support to the legislative commission in carrying out the legislative commission's duties under chapter 44.90 RCW until the legislative commission expires on December 31, 2027, under section 17 of this act.

(4) The payment of all of the expenses of the commission, including travel expenses incurred by the members or employees of the commission under its orders, shall be subject to the provisions of RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 19. A new section is added to chapter 44.90 RCW to read as follows:

(1) The following activities conducted by or on behalf of legislative employees related to collective bargaining under this chapter are exempt from the restrictions contained in RCW 42.52.020 and 42.52.160:

(a) Using paid time and public resources by an employee to negotiate or administer a collective bargaining agreement under this chapter when the employee is assigned to negotiate or administer the collective bargaining agreement and the use of paid time and public resources does not include state purchased supplies or equipment, does not interfere with or distract from the conduct of state business, and is consistent with the employer's policy on the use of paid time;

(b) Lobbying conducted by an employee organization, lobbyist, association, or third party on behalf of legislative employees concerning legislation that directly impacts legislative workplace conditions;

(c) Communication with a prospective employee organization during nonwork hours and without the use of public resources; or

(d) Conducting the day-to-day work of organizing and representing legislative employees in the workplace while serving

in a legislative employee organization leadership position.

(2)(a) Nothing in this section affects the application of the prohibition against the use of special privileges under RCW 42.52.070, confidentiality requirements under RCW 42.52.050, or other applicable provisions of chapter 42.52 RCW to legislative employees.

(b) Nothing in this section permits any direct lobbying by a legislative employee.

(3) As used in this section, "lobby" and "lobbyist" have the meanings provided in RCW 42.17A.005.

Sec. 20. RCW 42.52.020 and 1996 c 213 s 2 are each amended to read as follows:

(1) No state officer or state employee may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties.

(2) This section does not apply to activities conducted by legislative employees authorized under section 19 of this act.

Sec. 21. RCW 42.52.160 and 2023 c 91 s 3 are each amended to read as follows:

(1) No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.

(2) This section does not prohibit the use of public resources to benefit others as part of a state officer's or state employee's official duties. It is not a violation of this section for a legislator or an appropriate legislative staff designee to engage in activities listed under RCW 42.52.070(2) or 42.52.822.

(3) This section does not prohibit de minimis use of state facilities to provide employees with information about (a) medical, surgical, and hospital care; (b) life insurance or accident and health disability insurance; or (c) individual retirement accounts, by any person, firm, or corporation administering such program as part of authorized payroll deductions pursuant to RCW 41.04.020.

(4) The appropriate ethics boards may adopt rules providing exceptions to this section for occasional use of the state officer or state employee, of de minimis cost and value, if the activity does not result in interference with the proper performance of public duties.

(5) This section does not apply to activities conducted by legislative employees authorized under section 19 of this act.

NEW SECTION. Sec. 22. 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 May 1, 2024."

Correct the title.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

Senator Stanford moved that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6194.

Senator Stanford spoke in favor of the motion.

Senator King spoke against the motion.

The President declared the question before the Senate to be the motion by Senator Stanford that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6194.

The motion by Senator Stanford carried and the Senate

concurrent in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6194 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6194, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6194, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 29; Nays, 18; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Cleveland, Conway, Frame, Hansen, Hasegawa, Holy, Hunt, Keiser, Kuderer, Liias, Lovelett, Lovick, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Saldaña, Salomon, Shewmake, Stanford, Trudeau, Valdez, Van De Wege, Wellman, Wilson, C. and Wilson, J.

Voting nay: Senators Boehnke, Braun, Dhingra, Dozier, Fortunato, Gildon, Hawkins, King, MacEwen, McCune, Muzzall, Padden, Rivers, Schoesler, Torres, Wagoner, Warnick and Wilson, L.

Excused: Senators Kauffman and Short

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE HOUSE

March 7, 2024

MR. PRESIDENT:

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

SECOND SUBSTITUTE HOUSE BILL NO. 2320, and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 7, 2024

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134, and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2134.

MOTION

On motion of Senator Pedersen, the Senate advanced to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Van De Wege moved that Craig A. Ritchie, Gubernatorial Appointment No. 9346, be confirmed as a member

of the Pharmacy Quality Assurance Commission.

Senator Van De Wege spoke in favor of the motion.

APPOINTMENT OF CRAIG A. RITCHIE

The President declared the question before the Senate to be the confirmation of Craig A. Ritchie, Gubernatorial Appointment No. 9346, as a member of the Pharmacy Quality Assurance Commission.

The Secretary called the roll on the confirmation of Craig A. Ritchie, Gubernatorial Appointment No. 9346, as a member of the Pharmacy Quality Assurance Commission and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

Craig A. Ritchie, Gubernatorial Appointment No. 9346, having received the constitutional majority was declared confirmed as a member of the Pharmacy Quality Assurance Commission.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Washington's Second Lady, Mrs. Paula Heck who was seated in the gallery. The President further wished Mrs. Heck Happy Birthday.

The Senate proceeded to sing *Happy Birthday* to Mrs. Paula Heck.

REMARKS BY THE PRESIDENT

President Heck: "I can not begin to exaggerate what big trouble I am in."

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Frame moved that Pamela A. MacEwan, Senate Gubernatorial Appointment No. 9348, be confirmed as a member of The Evergreen State College Board of Trustees.

Senator Frame spoke in favor of the motion.

APPOINTMENT OF PAMELA A. MACEWAN

The President declared the question before the Senate to be the confirmation of Pamela A. MacEwan, Senate Gubernatorial Appointment No. 9348, as a member of The Evergreen State College Board of Trustees.

The Secretary called the roll on the confirmation of Pamela A. MacEwan, Gubernatorial Appointment No. 9348, as a member of The Evergreen State College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen,

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Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman and Short

Pamela A. MacEwan, Senate Gubernatorial Appointment No. 9348, having received the constitutional majority was declared confirmed as a member of The Evergreen State College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Cleveland moved that William E. Hayes, Senate Gubernatorial Appointment No. 9352, be confirmed as a member of the Pharmacy Quality Assurance Board.

Senator Cleveland spoke in favor of the motion.

MOTION

On motion of Senator Nobles, Senator Randall was excused.

APPOINTMENT OF WILLIAM E. HAYES

The President declared the question before the Senate to be the confirmation of William E. Hayes, Senate Gubernatorial Appointment No. 9352, as a member of the Pharmacy Quality Assurance Board.

The Secretary called the roll on the confirmation of William E. Hayes, Senate Gubernatorial Appointment No. 9352, as a member of the Pharmacy Quality Assurance Board and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman, Randall and Short

William E. Hayes, Senate Gubernatorial Appointment No. 9352, having received the constitutional majority was declared confirmed as a member of the Pharmacy Quality Assurance Board.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Frame moved that J. R. Leach, Senate Gubernatorial Appointment No. 9359, be confirmed as a member of the Public Disclosure Commission.

Senator Frame spoke in favor of the motion.

MOTION

On motion of Senator Wagoner, Senator Braun was excused.

APPOINTMENT OF J. R. LEACH

The President declared the question before the Senate to be the confirmation of J. R. Leach, Senate Gubernatorial Appointment No. 9359, as a member of the Public Disclosure Commission.

The Secretary called the roll on the confirmation of J. R. Leach, Senate Gubernatorial Appointment No. 9359, as a member of the Public Disclosure Commission and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman, Randall and Short

J. R. Leach, Senate Gubernatorial Appointment No. 9359, having received the constitutional majority was declared confirmed as a member of the Public Disclosure Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nobles moved that Marilee Scarbrough, Senate Gubernatorial Appointment No. 9360, be confirmed as a member of the Clark College Board of Trustees.

Senator Nobles spoke in favor of the motion.

APPOINTMENT OF MARILEE SCARBROUGH

The President declared the question before the Senate to be the confirmation of Marilee Scarbrough, Senate Gubernatorial Appointment No. 9360, as a member of the Clark College Board of Trustees.

The Secretary called the roll on the confirmation of Marilee Scarbrough, Gubernatorial Appointment No. 9360, as a member of the Clark College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman, Randall and Short

Marilee Scarbrough, Senate Gubernatorial Appointment No. 9360, having received the constitutional majority was declared confirmed as a member of the Clark College Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nobles moved that David Zeeck, Senate Gubernatorial Appointment No. 9386, be confirmed as a member of the University of Washington Board of Trustees.

Senator Nobles spoke in favor of the motion.

MOTION

On motion of Senator Nobles, Senator Liias was excused.

APPOINTMENT OF DAVID ZEECK

The President declared the question before the Senate to be the confirmation of David Zeeck, Senate Gubernatorial Appointment No. 9386, as a member of the University of Washington Board of Trustees.

The Secretary called the roll on the confirmation of David Zeeck, Senate Gubernatorial Appointment No. 9386, as a member of the University of Washington Board of Trustees and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman, Liias, Randall and Short

David Zeeck, Senate Gubernatorial Appointment No. 9386, having received the constitutional majority was declared confirmed as a member of the University of Washington Board of Trustees.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Trudeau moved that Jeffery B. Swan, Senate Gubernatorial Appointment No. 9371, be confirmed as a member of the Sentencing Guidelines Commission.

Senator Trudeau spoke in favor of the motion.

APPOINTMENT OF JEFFERY B. SWAN

The President declared the question before the Senate to be the confirmation of Jeffery B. Swan, Senate Gubernatorial Appointment No. 9371, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Jeffery B. Swan, Senate Gubernatorial Appointment No. 9371, as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Rivers, Robinson, Saldaña, Salomon,

Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman, Liias, Randall and Short

Jeffery B. Swan, Senate Gubernatorial Appointment No. 9371, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Nobles moved that Alexander K. Lee, Senate Gubernatorial Appointment No. 9375, be confirmed as a member of the Cascadia College Board of Trustees.

Senator Nobles spoke in favor of the motion.

APPOINTMENT OF ALEXANDER K. LEE

The President declared the question before the Senate to be the confirmation of Alexander K. Lee, Senate Gubernatorial Appointment No. 9375, as a member of the Cascadia College Board of Trustees.

The Secretary called the roll on the confirmation of Alexander K. Lee, Senate Gubernatorial Appointment No. 9375, as a member of the Cascadia College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Rivers, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman, Randall and Short

Alexander K. Lee, Senate Gubernatorial Appointment No. 9375, having received the constitutional majority was declared confirmed as a member of the Cascadia College Board of Trustees.

MOTION

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

MESSAGE FROM THE HOUSE

March 7, 2024

MR. PRESIDENT:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4409, and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

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

SIXTIETH DAY, MARCH 7, 2024

2024 REGULAR SESSION

SUPPLEMENTAL INTRODUCTION AND FIRST READING

seventh order of business.

HCR 4409 by Representatives Fitzgibbon, and Steele
Returning bills to their house of origin.

MOTIONS

On motion of Senator Pedersen, under suspension of the rules House Concurrent Resolution No. 4409 was placed on the second reading calendar.

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

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4409, by Representatives Fitzgibbon, and Steele

Returning bills to their house of origin.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, House Concurrent Resolution No. 4409 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4409.

Senator Pedersen spoke in favor of adoption of the resolution.

HOUSE CONCURRENT RESOLUTION NO. 4409 having received a majority was adopted by voice vote.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8417, by Senators Pedersen, and Short

Adjourning SINE DIE.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Senate Concurrent Resolution No. 8417 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8417.

Senator Pedersen spoke in favor of adoption of the resolution.

SENATE CONCURRENT RESOLUTION NO. 8417 having received a majority was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the Senate advanced to the

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Lovelett moved that Christopher G. Swanson, Senate Gubernatorial Appointment No. 9379, be confirmed as a member of the Pollution Control/Shorelines Hearings Board.

Senator Lovelett spoke in favor of the motion.

MOTIONS

On motion of Senator Nobles, Senator Liias was excused.

On motion of Senator Wagoner, Senator Rivers was excused.

APPOINTMENT OF CHRISTOPHER G. SWANSON

The President declared the question before the Senate to be the confirmation of Christopher G. Swanson, Senate Gubernatorial Appointment No. 9379, as a member of the Pollution Control/Shorelines Hearings Board.

The Secretary called the roll on the confirmation of Christopher G. Swanson, Senate Gubernatorial Appointment No. 9379, as a member of the Pollution Control/Shorelines Hearings Board and the appointment was confirmed by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman, Liias, Randall, Rivers and Short

Christopher G. Swanson, Senate Gubernatorial Appointment No. 9379, having received the constitutional majority was declared confirmed as a member of the Pollution Control/Shorelines Hearings Board.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Trudeau moved that Samuel T. Menser, Senate Gubernatorial Appointment No. 9383, be confirmed as a member of the Sentencing Guidelines Commission.

Senator Trudeau spoke in favor of the motion.

APPOINTMENT OF Samuel T. Menser

The President declared the question before the Senate to be the confirmation of Samuel T. Menser, Senate Gubernatorial Appointment No. 9383, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Samuel T. Menser, Senate Gubernatorial Appointment No. 9383, as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman, Lias, Randall, Rivers and Short

Samuel T. Menser, Senate Gubernatorial Appointment No. 9383, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE BILL NO. 5180,
 ENGROSSED SENATE BILL NO. 5790,
 SENATE BILL NO. 5811,
 ENGROSSED SENATE BILL NO. 5906,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6069,
 ENGROSSED SENATE BILL NO. 6098,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL
 NO. 6194,
 SUBSTITUTE SENATE BILL NO. 6316.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kuderer moved that William N. Rumpf, Senate Gubernatorial Appointment No. 9384, be confirmed as a member of the Housing Finance Commission.

Senator Kuderer spoke in favor of the motion.

APPOINTMENT OF WILLIAM N. RUMPF

The President declared the question before the Senate to be the confirmation of William N. Rumpf, Senate Gubernatorial Appointment No. 9384, as a member of the Housing Finance Commission.

The Secretary called the roll on the confirmation of William N. Rumpf, Senate Gubernatorial Appointment No. 9384, as a member of the Housing Finance Commission and the appointment was confirmed by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman, Lias, Randall, Rivers and Short

William N. Rumpf, Senate Gubernatorial Appointment No. 9384, having received the constitutional majority was declared confirmed as a member of the Housing Finance Commission.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hansen moved that Jeffery S. Vincent, Senate Gubernatorial Appointment No. 9398, be confirmed as a member of the Washington Student Achievement Council.

Senator Hansen spoke in favor of the motion.

APPOINTMENT OF JEFFERY S. VINCENT

The President declared the question before the Senate to be the confirmation of Jeffery S. Vincent, Senate Gubernatorial Appointment No. 9398, as a member of the Washington Student Achievement Council.

The Secretary called the roll on the confirmation of Jeffery S. Vincent, Senate Gubernatorial Appointment No. 9398, as a member of the Washington Student Achievement Council and the appointment was confirmed by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senators Kauffman, Lias, Randall, Rivers and Short

Jeffery S. Vincent, Senate Gubernatorial Appointment No. 9398, having received the constitutional majority was declared confirmed as a member of the Washington Student Achievement Council.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Wellman moved that Lily Clifton, Senate Gubernatorial Appointment No. 9434, be confirmed as a member of the Washington State School for the Blind Board of Trustees.

Senator Wellman spoke in favor of the motion.

APPOINTMENT OF LILY CLIFTON

The President declared the question before the Senate to be the confirmation of Lily Clifton, Senate Gubernatorial Appointment No. 9434, as a member of the Washington State School for the Blind Board of Trustees.

The Secretary called the roll on the confirmation of Lily Clifton, Senate Gubernatorial Appointment No. 9434, as a member of the Washington State School for the Blind Board of Trustees and the appointment was confirmed by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Senators Billig, Boehnke, Braun, Cleveland, Conway, Dhingra, Dozier, Fortunato, Frame, Gildon, Hansen, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Lovelett, Lovick, MacEwen, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Robinson, Saldaña, Salomon, Schoesler, Shewmake, Stanford, Torres, Trudeau, Valdez, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J.

SIXTIETH DAY, MARCH 7, 2024

2024 REGULAR SESSION

and Wilson, L.

and HOUSE CONCURRENT RESOLUTION NO. 4409.

Excused: Senators Kauffman, Lias, Randall, Rivers and Short

MOTION

Lily Clifton, Senate Gubernatorial Appointment No. 9434, having received the constitutional majority was declared confirmed as a member of the Washington State School for the Blind Board of Trustees.

At 5:38 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

MOTION

At 5:33 p.m., on motion of Senator Pedersen, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 5:39 p.m. by President Heck.

The Senate was called to order at 5:36 p.m. by President Heck.

REMARKS BY THE PRESIDENT

MOTION

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

President Heck: "It is the tradition of the Senate to allow guests and visitors to come on to the floor for the final ceremonies. We still have...Wait! A coup d'état right here in front of me. We still have some paperwork to exchange. I am going to go ahead and invite the visitors to come on to the floor but please understand that you must stay quiet so that we can hear and conduct the final business. Do not stand in the middle of the aisle. Visitors are now welcome to come on to the floor."

MESSAGES FROM THE HOUSE

MESSAGE FROM THE HOUSE

March 7, 2024

March 7, 2024

MR. PRESIDENT:

MR. PRESIDENT:

The Speaker has signed HOUSE CONCURRENT RESOLUTION NO. 4409, and the same are herewith transmitted.

The Speaker has signed: SENATE CONCURRENT RESOLUTION NO. 8417, and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MELISSA PALMER, Deputy Chief Clerk

March 7, 2024

MOTION

MR. PRESIDENT:

On motion of Senator Pedersen and without objections, the following measures on the second and third reading calendars and held at the desk were returned to the Committee on Rules:

The Speaker has signed:

- SENATE BILL NO. 5180,
- ENGROSSED SENATE BILL NO. 5790,
- SENATE BILL NO. 5811,
- ENGROSSED SENATE BILL NO. 5906,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6069,
- ENGROSSED SENATE BILL NO. 6098,
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194,
- SUBSTITUTE SENATE BILL NO. 6316,

- ENGROSSED SUBSTITUTE SENATE BILL NO. 5690,
- SENATE CONCURRENT RESOLUTION NO. 8416,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9345,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9390,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9395,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9396,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9399,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9400,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9401,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9406,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9409,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9411,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9412,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9416,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9417,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9418,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9420,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9427,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9428,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9429,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9430,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9431,
- SENATE GUBERNATORIAL APPOINTMENT NO. 9432,
- and SENATE GUBERNATORIAL APPOINTMENT NO. 9452.

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

March 7, 2024

MR. PRESIDENT:

The House has adopted: SENATE CONCURRENT RESOLUTION NO. 8417, and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

March 7, 2024

MR. PRESIDENT:

The Speaker has signed SECOND SUBSTITUTE HOUSE BILL NO. 2320, and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

- SENATE CONCURRENT RESOLUTION NO. 8417,
- SECOND SUBSTITUTE HOUSE BILL NO. 2320,

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4409, the following House Bills were returned to the House of Representatives:

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1037,

HOUSE BILL NO. 1052,
 SUBSTITUTE HOUSE BILL NO. 1104,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1113,
 SUBSTITUTE HOUSE BILL NO. 1121,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1245,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1304,
 HOUSE BILL NO. 1330,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1332,
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO.
 1362,
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO.
 1371,
 SECOND SUBSTITUTE HOUSE BILL NO. 1391,
 ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO.
 1433,
 ENGROSSED HOUSE BILL NO. 1468,
 ENGROSSED FOURTH SUBSTITUTE HOUSE BILL NO.
 1479,
 HOUSE BILL NO. 1507,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1510,
 THIRD SUBSTITUTE HOUSE BILL NO. 1579,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1637,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 1692,
 ENGROSSED HOUSE BILL NO. 1714,
 SUBSTITUTE HOUSE BILL NO. 1717,
 SUBSTITUTE HOUSE BILL NO. 1768,
 SUBSTITUTE HOUSE BILL NO. 1800,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1893,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1906,
 SUBSTITUTE HOUSE BILL NO. 1909,
 HOUSE BILL NO. 1913,
 SUBSTITUTE HOUSE BILL NO. 1915,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1932,
 HOUSE BILL NO. 1949,
 HOUSE BILL NO. 1967,
 HOUSE BILL NO. 1986,
 SUBSTITUTE HOUSE BILL NO. 1997,
 SECOND SUBSTITUTE HOUSE BILL NO. 2001,
 SUBSTITUTE HOUSE BILL NO. 2009,
 HOUSE BILL NO. 2023,
 HOUSE BILL NO. 2031,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2037,
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 HOUSE BILL NO. 2062,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2065,
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 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2079,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2114,
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 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2128,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2160,
 ENGROSSED HOUSE BILL NO. 2164,
 SECOND SUBSTITUTE HOUSE BILL NO. 2166,
 SUBSTITUTE HOUSE BILL NO. 2182,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2191,
 HOUSE BILL NO. 2210,
 SUBSTITUTE HOUSE BILL NO. 2224,
 SECOND SUBSTITUTE HOUSE BILL NO. 2239,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2245,

SUBSTITUTE HOUSE BILL NO. 2252,
 SUBSTITUTE HOUSE BILL NO. 2254,
 ENGROSSED HOUSE BILL NO. 2255,
 HOUSE BILL NO. 2257,
 SECOND SUBSTITUTE HOUSE BILL NO. 2270,
 SUBSTITUTE HOUSE BILL NO. 2271,
 SUBSTITUTE HOUSE BILL NO. 2283,
 SUBSTITUTE HOUSE BILL NO. 2287,
 HOUSE BILL NO. 2302,
 HOUSE BILL NO. 2316,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2330,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2356,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2361,
 HOUSE BILL NO. 2371,
 ENGROSSED HOUSE BILL NO. 2372,
 SUBSTITUTE HOUSE BILL NO. 2389,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.
 2401,
 SUBSTITUTE HOUSE BILL NO. 2408,
 SUBSTITUTE HOUSE BILL NO. 2411,
 HOUSE BILL NO. 2440,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2474,
 SUBSTITUTE HOUSE BILL NO. 2489,

MESSAGE FROM THE HOUSE

March 7, 2024

MR. PRESIDENT:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4409, the following Senate bills are returned to the Senate:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5010,
 ENGROSSED SENATE BILL NO. 5032,
 SUBSTITUTE SENATE BILL NO. 5056,
 SENATE BILL NO. 5160,
 ENGROSSED SENATE BILL NO. 5241,
 SECOND ENGROSSED SUBSTITUTE SENATE BILL NO.
 5284,
 SUBSTITUTE SENATE BILL NO. 5291,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5299,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5334,
 ENGROSSED SENATE BILL NO. 5340,
 ENGROSSED SENATE BILL NO. 5344,
 ENGROSSED SENATE BILL NO. 5363,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5368,
 SECOND ENGROSSED SUBSTITUTE SENATE BILL NO.
 5546,
 ENGROSSED SENATE BILL NO. 5590,
 SECOND SUBSTITUTE SENATE BILL NO. 5591,
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 5635,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5640,
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 SUBSTITUTE SENATE BILL NO. 5722,
 SENATE BILL NO. 5789,
 SUBSTITUTE SENATE BILL NO. 5794,
 SUBSTITUTE SENATE BILL NO. 5815,
 SENATE BILL NO. 5818,
 SUBSTITUTE SENATE BILL NO. 5835,
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 SUBSTITUTE SENATE BILL NO. 5841,

SIXTIETH DAY, MARCH 7, 2024

2024 REGULAR SESSION

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
5849,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5850,
ENGROSSED SENATE BILL NO. 5856,
SENATE BILL NO. 5860,
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SENATE BILL NO. 6030,
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SUBSTITUTE SENATE BILL NO. 6036,
SUBSTITUTE SENATE BILL NO. 6056,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6061,
ENGROSSED SENATE BILL NO. 6072,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO.
6092,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6101,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6110,
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SECOND SUBSTITUTE SENATE BILL NO. 6187,
SUBSTITUTE SENATE BILL NO. 6198,
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SENATE BILL NO. 6247,
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ENGROSSED SUBSTITUTE SENATE BILL NO. 6264,
SENATE BILL NO. 6271,
SUBSTITUTE SENATE BILL NO. 6277,
SUBSTITUTE SENATE BILL NO. 6278,
SENATE BILL NO. 6298,
SUBSTITUTE SENATE BILL NO. 6302,
ENGROSSED SENATE JOINT MEMORIAL NO. 8006,
and the same are herewith transmitted.
MELISSA PALMER, Deputy Chief Clerk

MOTIONS

On motion of Senator Pedersen, the reading of the Journal for the 60th day of the 2024 Regular Session of the 68th Legislature was dispensed with, and it was approved.

At 5:49 p.m., on motion of Senator Pedersen and without objection, the 2024 Regular Session of the Sixty-Eighth Legislature adjourned SINE DIE.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

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